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Incorporation
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INCORPORATION LAWS

OF THE

STATE OF ILLINOIS;

PASSED AT A SESSION OF

THE GENERAL ASSEMBLY,

Begun and held at Vandalia the 6th day of December, 1836.

Begun & held at Vandalia

PUBLISHED IN PURSUANCE OF LAW.



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WILLIAM WALTERS, PUBLIC PRINTER.

1837.

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INCORPORATION LAWS.

AN ACT to amend an act entitled "An act concerning the towns of Pittsfield and Chester."

In force Jan. 16th, 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the President and Board of Trustees of the town of Chester in the county of Randolph be and they are hereby authorized and empowered to increase the annual ad valorem tax on town lots to any rate not exceeding three per centum, that they may at any time think necessary for carrying on public improvements within the limits of said town: *Provided always,* That the consent of at least three-fourths of the resident owners of a lot or lots in said town shall be first had and obtained.

President and trustees of Chester may increase ad valorem tax on town lots not exceeding three per centum

Proviso

SEC. 2. The Clerk of the Board of Trustees shall give at least five days public notice of any meeting to be held for the purpose aforesaid, by posting up written or printed notices in three of the most public places in said town, and the said clerk shall act as clerk or secretary of said meeting or meetings, and copy the proceedings thereof in the record book of the corporation of said town.

Duty of clerk Notice and meetings

This act to take effect from its passage,
APPROVED January 16th, 1837.

AN ACT to legalize the incorporation of Pekin.

In force 19th January 1837

WHEREAS, It has been represented to the General Assembly, that the citizens of the town of Pekin, in the county of Tazewell, did, on the second day of July, A. D. 1835, meet and determine, by vote, that they would become incorporated, according to the provisions of an act en-

Dec. 10, 1837
+114CX,
Sept. 22, 1837

INCORPORATION LAWS.

titled "An act to incorporate such towns as may wish to be incorporated," approved March 1st, 1831; and whereas, by accident or mistake, the certified statement of the polls of said meeting was lost and have not been filed and recorded in the clerk's office of the county commissioners' court in said county as the said act directs: Therefore,

Town of Pekin not illegally incorporated
Declared an incorporated town

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the said town of Pekin shall not be considered illegally incorporated on account of any omission of the trustees or clerks to do or perform any act or thing made necessary to be done or performed by the above recited act incorporating said town.

SEC. 2. That all acts, orders, records, by-laws, and regulations done and made by the trustees of said town in accordance with the provisions of the said act, and which they might have done and made had such original incorporation of said town been conducted in all respects according to the requisitions of said law, are hereby declared legal and valid.

SEC. 3. The said town of Pekin is hereby declared an incorporated town under the above recited act, any omission or mistake in the incorporation of said town to the contrary notwithstanding.

SEC. 4. This act shall take effect and be in force from and after its passage.

APPROVED 19th January, 1837.

In force, 19th
Jan. 1837.

AN ACT to incorporate the Lacon Academy.

Lacon Academy established
Trustees appointed
A body corporate
To have perpetual succession
Powers and privileges
Name & style

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That there shall be and is hereby established in the county of Putnam an institution for the education of youth in the various branches of useful knowledge by the name of the Lacon Academy, and that Augustus Pomeroy, Jonathan Babb, Joseph Woodruff, Robert Boal, William Fenn, William Fisher, Samuel Howe, Ira J. Fenn, and their successors, be and they are hereby appointed trustees of said institution, and constituted a body corporate and politic with perpetual succession, with all the powers and privileges incident to a corporation, to be known and distinguished by the name and style of the trustees of the "Lacon Academy."

SEC. 2. That said trustees by the corporate name Powers
 aforesaid shall be competent to sue and be sued, plead
 and be impleaded, in all courts of law or equity, may
 have a common seal, and alter the same at pleasure, and
 shall fill all vacancies in their own body occasioned by
 death, resignation, or neglect for more than one year, to
 attend to the duties of the trust.

SEC. 3. That the said trustees, or a majority, when
 met, shall constitute a board, shall have power to appoint
 a President, Secretary, and Treasurer, and such other
 officers and agents as they may deem necessary, and to
 prescribe their duties, and to make, ordain, and establish
 such by-laws, rules and regulations for conducting the
 affairs of said corporation as they may deem proper: Majority may
 constitute a
 board and ap-
 point officers
 and prescribe
 their duties
 May make by-
 laws
Provided, That the same be not repugnant to the consti- Proviso
 tution and laws of the United States, or of this State.

SEC. 4. That the said trustees, in their corporate capa-
 city, shall be capable of receiving and acquiring by purchase,
 devise, gift, bequest, or otherwise, property, real, personal
 or mixed, to be used, improved, expended, or conveyed,
 for the purposes of the trust: *Provided*, That the annual
 income of the real property of said corporation shall
 not exceed four thousand dollars, and that the funds of
 said institution shall never be used for purposes of
 banking. May hold pro-
 perty, real,
 personal or
 mixed
 Proviso

SEC. 5. That the said trustees shall have power to
 appoint such officers, professors and teachers as may be
 necessary for the instruction and government of the in-
 stitution and prescribe their duties. Further powers

SEC. 6. That said trustees shall have power to elect
 honorary members, who shall have seats in the board
 of trustees, and be admitted to take part in the discus-
 sions therein, but not to vote. Power to elect
 honorary mem-
 bers

SEC. 7. That any future legislature shall have power
 to alter or amend this act, so far as it may be necessary
 to restrict the corporation to the powers hereby intended
 to be conferred: *Provided*, That the property, or the
 funds of the corporation, or the management thereof,
 shall not thereby be diverted or changed from the purposes
 and direction indicated by the donors. Power of legis-
 lature to alter
 or amend this
 act
 Proviso

SEC. 8. That the funds of the corporation shall be ap-
 propriated exclusively for the purposes of education, and not
 for the individual benefit of the members of the corporation. Funds of the
 corporation
 how applied

SEC. 9. That in case any donation, devise, or bequest,
 shall be made for the particular purposes accordant with
 the design of this institution, and the corporation shall
 accept the same: every such donation, devise, or bequest,
 shall be applied in conformity with the express conditions
 of the donor or deviser: *Provided*, That said corporation shall
 accept
 Donations to
 be applied as
 donor may di-
 rect
 Proviso

not be allowed to hold more than six hundred and forty acres of land at one time, unless the said corporation shall have received the same by gift, grant, or devise, and in such case they shall be required to sell or dispose of the same within three years from the time they shall acquire such title, and, on failure to do so, said land shall revert to the original donor, grantor, deviser, or their heirs.

APPROVED 19th January, 1837.

In force, 19th Jan. 1837 AN ACT to incorporate the town of White Hall, and for other purposes.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the inhabitants of the town of White Hall, in the county of Greenc, in this State, is hereby incorporated, with all the rights and privileges, granted to incorporated towns by the laws of Illinois, and the said inhabitants may, on the first day of March next, or any day thereafter, elect a President and Trustees of said town, according to the provisions of the act authorizing towns to be incorporated; and said President and Trustees, when elected and qualified, may re-survey and make out a new plat of said town, and which shall be recorded according to law, and said President and Trustees may close any streets and alleys now laid out in said town, and may make any new streets and alleys they may deem necessary; and the said President and Trustees may dispose of and convey the land in said streets and alleys, so to be closed by deed under the hand and seal of said President, to the owners of the adjoining lots fronting or joining upon said streets and alleys: *Provided,* Said owners will accept a conveyance of the same; but if said owners shall refuse to accept the said land as aforesaid, the said land may be sold and conveyed to any other person.

APPROVED 19th January, 1837.

In force, Jan. 31, 1837

AN ACT to incorporate the Kaskaskia Bridge Company.

SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly,* That Nathaniel Pope, Pierre Menard, David J. Baker, John P. McGinnis, Ferdinand Maxwell, Hippolite Menard, senr., Miles A. Gilbert, John A. Langlois and William Brewster, with their

associates be and they are hereby created a body politic and corporate by the name and style of the "Kaskaskia Bridge Company," for the purpose of erecting and constructing a bridge over the Kaskaskia river at Kaskaskia; and they and their associates and successors shall continue and have perpetual succession, and by that name and style are hereby made as capable in law as natural persons to contract and be contracted with, to sue and be sued, to plead and be impleaded in this State in all courts of law or equity: to make, have, and use a common seal; and the same to break, alter or amend at pleasure, and they and their successors shall have the power to purchase and hold as much real estate as will be necessary for the site of said bridge, abutments, toll houses, and suitable avenues leading to the same, also the power to ordain and establish such by-laws, ordinances and regulations as shall be necessary for the well-being and government of said corporation, not incompatible with the laws of this State, or of the United States.

Company incorporated
Style

Powers and
privileges

SEC. 2. The capital stock of said company shall consist of ten thousand dollars, to be divided into shares of twenty dollars each, to be subscribed for in the manner hereinafter mentioned: *Provided*, if the amount above stated is insufficient to complete the bridge, it may be increased to a sufficient sum to accomplish the same.

Capital stock

Proviso

SEC. 3. Within one year after the passage of this act, the persons before named, or a majority of them, shall cause books for the subscription of stock of said company to be opened at such times and places as they may direct, which books shall be kept open under the direction of such persons or a majority of them, for such length of time as they may order. Every subscriber shall at the time of subscribing pay one dollar on each share subscribed.

Books of subscription
where opened

SEC. 4. As soon as five thousand dollars shall be subscribed, the said persons, or a majority of them, shall advertise a meeting of the stockholders, at Kaskaskia, giving at least ten days notice of the time and place of such meeting and the stockholders shall thereupon proceed to the election of a President and four Directors, who shall be shareholders. One such of the before mentioned persons who shall not be share-holders, shall cease to be members of said corporation; and the said share-holders shall also proceed to ordain and adopt such by-laws for the permanent organization and government of said corporation as they may deem needful; at which meeting each shareholder shall be entitled to one vote for each share not exceeding five, and one vote for every five shares above five and not exceeding twenty, and one vote for every ten shares above twenty, and at all the subsequent elections or

When \$5000
subscribed a
meeting of the
stockholders
shall be had

Election of a
president and
four directors

Bye-laws

or general meetings of the stockholders, the shares in said company may be voted proxy duly recorded.

President and
Directors
term of office

Annual meet-
ing of stock-
holders

Statements of
affairs of com-
pany
Dividends

SEC. 5. The President and Directors chosen in conformity to the provisions of the foregoing sections shall hold their office for one year next succeeding such election and until others are chosen in their places; and the stockholders shall annually meet at Kaskaskia on the first Monday in the month that the first election may be held, at some place to be designated by said president and directors, and then proceed to the election of a President and four Directors, who shall be share-holders, and hold their offices for one year and until their successors shall be elected as aforesaid. Public notice shall be given of such meetings or elections by the clerk or secretary of the company at least fifteen days previous thereto. At the annual meetings, a statement of the affairs of the company shall be made out by the President and directors and presented to said meeting, and such dividend of the profits be declared as may be deemed advisable.

Concerns how
managed

Assessments
on shares

SEC. 6. The concerns of said corporation shall be under the control, superintendence and management of said president and directors, and the president and two directors shall constitute a quorum to transact business, or, in the absence of the president, any three directors, one of whom shall act as president pro tem, with power to fill any vacancy in the board, occasioned by death, resignation, or otherwise. The president and directors, after they shall have been duly elected as aforesaid, may make such assessments on the shares of said company as are subscribed, payable at such periods as they may deem advisable, with such conditions of forfeiture for non-compliance not exceeding the amount of stock delinquent as they may deem proper. They are to open or renew the subscriptions for shares not already subscribed, at such time and place as the interest of the company may require.

Lands may be
taken

Owners to be
paid

SEC. 7. The said president and directors or their agents may enter upon and take possession of so much land on each side of the said river as may be necessary for the erection of said bridge, and upon receiving a conveyance for the same, shall pay to the owner or owners the full value thereof, and in case of a disagreement between the parties as to such value the same may be ascertained by three disinterested freeholders of Randolph county, who shall be appointed for that purpose by the county commissioners' court of said county, on the application of either party, who shall be sworn to make a just valuation thereof. The amount of such valuation shall be paid by the said corporation to the owner or owners thereof, or to the guardian or guardians of said owner or owners if they are

infants, or into the county treasury for the use of said owner or owners if they are unknown; and the said corporation may then and there enter upon and take possession of the said land for the purposes aforesaid.

SEC. 8. It shall be the duty of the president and directors to appoint a clerk and cause a record of their proceedings to be kept. They may also appoint a treasurer and other officers or agents as they may deem needful for the proposed undertaking, and to allow them such pay or compensation as they may agree on, to make contracts and do all things necessary to carry the aforesaid object into immediate effect and execution, and to require or take such bonds or other security in their corporate capacity, from any person or persons they may so appoint or contract with. And any vacancy filled by the board of directors shall continue until the next annual meeting.

Company shall keep a record of their proceedings and appoint clerk

Vacancies

SEC. 9. The said bridge shall be constructed with a convenient draw, at least thirty feet wide for the passage of steamboats and other vessels; and shall keep good and sufficient lights on each side of said draw, at all proper times, and shall also keep some suitable person or persons at the said bridge, who shall raise said draw when it may be necessary for the passage of any steamboat or other vessel passing up or down said river free from expense to the owners thereof. And when so constructed and completed the county commissioners of Randolph county shall have power to establish from time to time such rates of toll as they may think reasonable for passing over said bridge, and the same shall be posted up in some conspicuous place or places on or near said bridge; and the corporation shall have power to demand and collect the said rates of toll from all and every person or persons passing thereon with their goods, carriages, wagons, or animals of every kind and description: *Provided, however,* that the rates of toll thus established shall never exceed the rates of toll established by the said commissioners for crossing the ferries in the said county: *Provided also,* that the citizens of Randolph county shall pass the said bridge free of toll.

Bridge shall have convenient draw

Rates of toll

Proviso

Further proviso

SEC. 10. If any person or persons shall wilfully or knowingly do any act or thing whatever, whereby the said bridge, or any thing thereto belonging, shall be injured or damaged, the said person or persons so offending, shall forfeit and pay three times the amount of damages sustained with costs of suit recoverable before any court of competent jurisdiction, and any person or persons who shall pass or attempt to pass said bridge without paying the toll or tendering it if there be any person or persons present to receive it, shall forfeit and pay three times the amount of the toll or tolls which he, she, or they were liable to pay

Persons injuring bridge, how liable

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for passing said bridge, recoverable before any justice of the peace in this State, and if any person or persons shall wilfully set fire to said bridge or burn the same or any part thereof, such offenders with their aiders and abettors shall be guilty of arson.

Certificates of stock shall be given to stockholders

SEC. 11. Certificates of stock shall be given to the stock holders, which shall be evidence of the stock held; they shall be signed by the President and countersigned by the clerk. The stock shall be transferable on the books of the corporation only personally, or by an agent or attorney, or by the administrator, executor, trustee or guardian. But such stock shall at all times be holden by the corporation for any dues from the holder thereof to the corporation, or for any sum that may thereafter become due on a contract made prior to such transfer.

Benefits of act when forfeited

SEC. 12. This act shall cease to have effect if stock to the amount of five thousand dollars shall not be taken within two years from the first day of January next, and the bridge to be completed in three years from that period.

Duties of company

SEC. 13. It shall be the duty of said company from time to time to remove all drift or timber of any description which may lodge against any of the abutments or pillars of said bridge, and if they fail herein, they shall be liable to a fine of ten dollars for every forty-eight hours it is suffered to remain after allowing reasonable time for the removal of the same, to be recoverable by indictment or presentment in the Randolph circuit court, and shall moreover be liable for any injury sustained by any person in consequence thereof.

When liable to fine and indictment

President and directors to keep exact account of cost of bridge.

SEC. 14. The said president and directors shall keep an exact account of their expenditures in erecting said bridge, and file the same with the clerk of the county commissioners' court of Randolph county, stating, under oath, that the same is a just and true account of the original cost of said bridge; and the county commissioners' court shall have power to purchase said bridge at any time after the expiration of five years from the completion of said bridge, by paying the full amount of the cost of the same; and in case the said bridge shall be purchased by said court, the corporation hereby created shall within one year thereafter be dissolved, and said bridge forever after be and remain a free bridge.

County may purchase bridge

County may take stock

SEC. 15. It shall be lawful for the county commissioners of Randolph county for and on behalf of said county, to authorise by an order as much of the stock to be taken as they may think proper, and if the Legislature of this State shall, after the expiration of ten years from the completion of said bridge, make provision by law for the repayment to the said company, the amount of their expen-

When bridge may become property of State

Secy. of State,

ditures with interest thereon, at the rate of ten per cent. per annum after deducting the amount of tolls received on said bridge, then and in that case the said bridge, with all its fixtures and appurtenances shall vest in and become the property of the people of the State.

This act to be in force from and after its passage:

APPROVED January 31, 1837.

AN ACT to incorporate the White Hall and Albany turnpike road company.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all persons who shall become stockholders pursuant to this act, are hereby constituted a body corporate and politic, by the name of the White Hall and Albany turnpike road company, for the term of fifty years.

In force Jan. 31, 1837.

Stockholders incorporated.

Name

SEC. 2. The capital stock of said company shall be thirty thousand dollars, which shall be divided into shares of one hundred dollars each, and Rescarick Ayres, Dennis Hoagland, Sherman Goss, and Henry M. Blanchard shall be commissioners to open books and receive subscriptions for said stock.

Capital stock \$30,000.

Shares \$100.

Commissioners to open books.

SEC. 3. The said corporation may construct a turnpike road and all necessary bridges on the most eligible route from the town of White Hall in the county of Greene, to the town of Albany on the Illinois river in said county.

Corporation to construct turnpike road and make bridges from White Hall to Albany.

SEC. 4. Any stockholder or director of said corporation may, with the consent of the directors, become interested in any contract necessary for the construction and completion of said turnpike road, and the works connected therewith.

Stockholders may by consent of directors be a contractor.

May erect toll Gates.

SEC. 5. When the said turnpike road shall be completed, the said corporation shall be authorized to erect one full toll gate or two half toll gates for every ten miles, and to receive at such full toll gate or half toll gate, the following tolls, to wit: for every chariot, coach, and coachee, Phaeton, or other pleasure carriage, drawn by two horses or other beasts, twenty-five cents, and for each additional horse or other beast, six and one fourth cents, for every chair, sulky, or other pleasure carriage drawn by one horse or other beast, eighteen and three fourth cents, and for every additional horse or other beast, six and one fourth cents, for every stage, hack, post coach, or stage wagon, drawn by two horses or other beast, eighteen and

Rates of toll.

three fourth cents, and for each additional horse or other beast, six and one fourth cents, for every sleigh or sled drawn by two horses or other beasts, twelve and a half cents, and for every additional horse or beast, six and one fourth cents, for every sleigh or sled, drawn by one horse or other beast, twelve and one half cents, and for every additional horse or other beast, ———— cents; for every horse and rider, twelve and one half cents; for every score of cattle, horses, or mules, sixty cents, for every score of sheep or hogs, twenty cents, and so in proportion for a greater or less number of cattle, horses, mules, sheep, and hogs, for every wagon drawn by two oxen or horses, twenty-five cents, and for every additional two oxen, six and one fourth cents, one half of the above amount of tolls to be collected at half toll gate, and the full amount at every full toll gate.

Books where to be opened for subscription.

Notice thereof.

Amount to be paid at time of subscribing.

When \$15,000 subscribed, commissioners to give notice for meeting of stockholders to elect directors.

Manner of voting.

Books &c. to be delivered over.

Time of holding first meeting.

Directors may require payment on stock under penalty of forfeiture, &c.

SEC. 6. The said commissioners shall at some suitable place in the said county of Greene, open books to receive subscription to the capital stock of said corporation, and said commissioners shall give twenty days notice by posting up written or printed notices in four of the most public places in the said county of Greene; of the time and place of opening such books of subscription, and the said commissioners shall require the sum of ten dollars to be paid upon every one hundred dollars of the capital stock subscribed for at the time the said subscription shall be made, and in case of neglect or refusal on the part of any subscriber or subscribers to pay the sum so required, their subscription shall be invalid, and so soon as fifteen thousand dollars of the capital stock shall have been subscribed the said commissioners shall give notice in the same manner as is herein provided, in case of opening the books of subscription, for a meeting of the stockholders to choose five directors, and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by lawful proxy, each share of the capital stock entitling each stockholder to one vote, and the said commissioners shall be the inspectors of the first election of directors of the said corporation, and shall certify, under their hands and seals, the names of those duly elected, and deliver over the subscription books and all subscription monies, and the time of holding the first meeting of the directors shall be fixed by the said commissioners.

SEC. 7. It shall be lawful for the said directors to require payment of the sums subscribed to the capital stock, at such times and in such sums, and on such conditions, as they or a majority of them shall deem fit, under the penalty of the forfeiture of all previous payments thereon,

and shall give notice of the payments thus required and of the place where, and the time when the same are to be paid, at least twenty days previous to the payment of the same, by posting up notices in writing to that effect, in four of the most public places in said county of Greene.

give notice of payments required.

SEC. 8. That in case it should at any time happen that an election of directors shall not be made at any time when in pursuance of this act it ought to have been made, the said corporation shall not, for that cause, be deemed to be dissolved, but the said election may be held at any other time, directed by the by-laws of said corporation.

Should election not be held at the proper time it may be held afterwards.

SEC. 9. That five directors of said corporation, shall form a board, and that a majority of three shall be competent to transact the business of the said corporation and they shall have full power to make and prescribe such by-laws, rules, and regulations as to them shall appear necessary and proper touching the management and disposition of the stock, property, estate and effects of said corporation, the transfer of shares and touching the duties and conduct of their officers and servants, and the electing of directors, and all other matters whatsoever, which may appertain to the concerns of said corporation.

Five directors to form a board and a majority to transact business and make bye laws

SEC. 10. That the said corporation be and they are hereby authorised by their agents, surveyors and engineers to cause such examination and surveys to be made upon the route and site of said turnpike road, and it shall be lawful for the said corporation to enter upon and take possession of and use all such lands and real estate as may be indispensable for the construction and maintainance of said road, and the accomodations requisite and appertaining thereto, and may also hold and take all such voluntary grants and donations of land and real estate as shall be made to the said corporation, to aid in the construction, maintenance, and accommodation of their said road, *Provided*, That all land or real estate thus entered upon and taken possession of, and used by said corporation, and which are not donations, shall be purchased of the owner or owners of the same, at a price to be mutually agreed upon between them, and in case of a disagreement as to price, it shall be the duty of the county commissioners court of Greene county to appoint commissioners, disinterested freeholders of said county of Greene, to determine the damages which the owner or owners of the land so entered upon by said corporation, has or have sustained by the occupation of the same, and upon the payment of such damages together with the costs and charges attending the appointment by the said corporation, then the said corporation shall be deemed to be seized and possessed of the fee simple of all such lands or real estate

Authorised to have surveys and examinations made on the route.

Power to enter upon and use lands.

May take grants.

Proviso.

Lands to be purchased. If not how to proceed.

as shall have been appraised by the said commissioners, and it shall be the duty of said commissioners or a majority of them, to deliver to said corporation a written statement of the appraisement by them made, with a description of the land appraised, to be recorded in the recorder's office of said county of Greene.

Obstructing or defacing the works or marks
Penalty.
How recovered

SEC. 11. That if any person or persons shall wilfully do or cause to be done, any act or acts whatsoever, where by any building or buildings, construction, or works of said corporation, shall be impaired, weakened or destroyed, the person or persons so offending shall forfeit and pay to said corporation double the amount of damages sustained by means of such offence or injury, to be recovered in the name of such corporation with costs of suit by action of debt, to be brought in any court in the county where such offender lives, or in the county where the injury was committed or done.

SEC. 12. This act to take effect from and after its passage.

APPROVED January 31, 1837.

In force Jan:
31, 1837.

AN ACT to incorporate the Granville Academy.

**Persons incor-
porated.**
**Name to have
succession,
Power.**
To have a seal
Proviso.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas Hartzell, Daniel Shepherd, William Paul, Nathan Gould, James Mars, James G. Laughlin, Ralph Ware, Felix Margrave, and Benjamin R. Shelden, and their successors be and they are hereby created a body politic and corporate, to be styled the Trustees of the Granville Academy, and in that name to remain in perpetual succession, with power to sue and be sued, plead and be impleaded, to acquire, hold and convey property, real and personal, to have and use a common seal, to alter the same at pleasure, to make and alter from time to time such by-laws as they may deem necessary for the government of said institution, its officers and servants, *provided,* such by-laws be not inconsistent with the constitution and laws of the United States, or of this State.

**No. of trustees
and term of
service.**

SEC. 2. There shall not be less than nine, nor more than fifteen Trustees in office at one time, one third of whom shall go out of office every year; the three first named in this act shall go out of office the first year, the next three shall go out of office the second year, and the three last named shall go out of office the third year, but

all shall be eligible to a re-election; the trustees shall have power to fill such vacancies in their own body as may occur by death, resignation or otherwise, one third of whom shall constitute a quorum. The Trustees shall hold the property of said institution solely for the purpose of education, and not as a stock for the individual benefit of themselves, or of any contributor to the endowment of the same, and no particular religious faith shall be required of those who shall become trustees or students of the Institution.

Eligible to re-election.

Quorum.

To hold property for education.

No particular religious faith required.

SEC. 3. Said institution shall remain located on its present site adjoining the plat of the town of Granville in Putnam county, and the said Trustees shall be competent in law and equity to take to themselves and their successors in office, in their said corporate name, any estate, real, personal or mixed, by the gift, grant, bargain and sale, conveyance, will, devise, or bequest of any person or persons whomsoever, and the same estate, whether real or personal, to grant, bargain, sell, convey, demise, let, place out on interest or otherwise dispose of for the use of said institution, in such manner as shall seem to them most beneficial to the institution; said Trustees shall faithfully apply all funds collected or the proceeds, according to their best judgment, in erecting and completing suitable buildings, supporting the necessary officers, instructors, instructresses, assistants and servants, and procuring books, maps, charts, globes, philosophical and other apparatus necessary to the success of said institution, *provided*, nevertheless, that in case any donation, devise, or bequest, shall be made for any particular purpose accordant with the design of this institution, and the corporation shall accept the same, every donation, devise or bequest so made, shall be applied in conformity with the express conditions of the donor or devisor.

Where located

Further powers.

To erect buildings, &c.

Procure books, &c.

Proviso.

SEC. 4. The treasurer of the institution always and all other agents when required, before entering on the duties of their appointment, shall give bonds for the security of the corporation in such penal sums, and with such security as the Board of Trustees shall approve, and all process against the corporation, shall be by summons, and the service of the same shall be by leaving an attested copy thereof with the Treasurer at least thirty days before the return thereof.

To give bond security.

How process may be served.

SEC. 5. The trustees shall have power to employ and appoint a principal for said institution, and all such instructors and instructresses, and also such assistants and servants, as may be necessary, and shall have power to displace any or either of them as they may deem the interest of the institution to require; to fill vacancies which

Power to appoint principal &c. and remove them.

To fill vacancies,
To direct course of study,

may happen by death, resignation or otherwise, among said officers, assistants and servants, and to prescribe and direct the course of study to be pursued in said institution.

What quantity of land may be held.
Proviso.

SEC. 6. The lands within the bounds of this State, held in perpetuity by this charter, shall not exceed one thousand acres held at one time, *provided* if donations in land shall be made at any time to said corporation, which shall increase the quantity to more than one thousand acres, the same may be received and held in trust by said board of trustees and shall be sold within five years from the date of such donation for the benefit of said institution, in failure whereof the lands, so given, shall revert to the donor or grantor of the same, and the said board of trustees shall in no case lease or rent out any lands so held in trust as last aforesaid.

APPROVED January 31, 1837.

In force Feb.
15, 1837.

AN ACT to change the corporate powers of the town of Galena.

Town of Galena incorporated.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the inhabitants and residents of the town of Galena, Jo Daviess county, are hereby constituted a body corporate and politic, by the name and style of "the President and Trustees of the town of Galena," and by that name they and their successors shall be known in law, have perpetual succession, sue and be sued, plead and be impleaded, defend and be defended in courts of law and equity, and in all matters and actions whatsoever; may grant, purchase and receive and hold property real and personal, within the limits of said town, and may sell and dispose of the same, and may do all other acts as natural persons, may have a common seal, and break and alter the same at pleasure.

Boundaries.

SEC. 2. The boundaries and jurisdiction of said corporation, are hereby declared to be co-extensive with the town of Galena, as laid out and to be laid out by the commissioners appointed by the General Government, under the act of Congress, dated 1836.

Governed by seven trustees.

SEC. 3. The corporate powers and duties of said town shall be vested in seven trustees, to be chosen and appointed as hereinafter directed, who shall constitute a board for the transaction of business, and all suits and judicial proceedings shall be in the name and style of the "President and trustees of the town of Galena."

SEC. 4. The members composing the board of trustees shall be elected annually on the first Monday of April, and no person who has not arrived at the age of twenty one years, been a resident of the town at least twelve months next preceding the election, and at the time of his election a *bona fide* free-holder within the limits of the corporation; shall be eligible to the office of trustee; and all free white male citizen over the age of twenty-one years, who have resided within the town limits three months next preceding the election shall be qualified voters for trustees or any other town officer.

To be elected annually on the first Monday of April.

SEC. 5. That the members of the board of trustees (and every officer of said corporation) shall before entering on the duties of their office, take an oath or affirmation before some judge or justice of the peace, to support the constitution of the United States, and of this State, and faithfully to demean themselves in office; they shall elect a President from among their body, and appoint one street commissioner, one treasurer, one assessor, one collector, one town surveyor, one inspector and measurer of wood and coal, one inspector and measurer of lumber, one market inspector, and one inspector of flour, lard and butter; also one or more town constables, who shall possess the same powers and perform the same duties within their corporate limits, as the constables in the different counties possess and perform, and who shall be allowed, in addition to the present compensation or fees allowed constables, fifty per cent. thereon; all officers of the corporation to be appointed annually.

Shall take an oath.

Elect a president and treasurer.

And town constable.

Fees allowed.

SEC. 6. The trustees thus elected and qualified, shall be the judges of the qualifications, elections and returns of their own members, a majority of whom shall constitute a board to do business; but a minority may adjourn from day to day, may compel the attendance of absent members in such manner and under such penalties as the board may provide.

SEC. 7. The trustees may determine the rule of proceeding, and make such other rules and regulations for their own government, as to them may seem proper and expedient; and require of all officers of the corporation, penal bonds for the faithful discharge of their several duties; may divide the town into wards or districts, and in all cases they shall be required to give at least twenty days notice previous to holding an election for any officer of the corporation.

Lay off wards or districts

SEC. 8. The board of trustees shall have power by ordinance to levy and collect taxes upon all real and personal property within the corporation, not exceeding one half of one per centum upon the assessed value thereof, (except

Levy taxes.

the wearing apparel, and the necessary tolls and implements of any person used in carrying on his trade;) to make regulations to prevent the introduction of contagious diseases; to make quarantine laws for that purpose, and enforce the same within six miles of said town, and within the jurisdiction of the State; to make regulations to secure the general health of the inhabitants; to establish night watches and patrols; to improve and preserve the navigation of Fever river within the corporation; to erect, repair and regulate wharves; to regulate the rates of wharfage, the stationing, anchorage, and mooring of vessels; to provide for licencing, taxing, and regulating of merchants; auctions, groceries, retailers, pedlars, taverns, ordinaries, and houses of entertainment, hackney carriages, wagons, carts, drays, theatrical and other shows; to restrain and prohibit tipling houses, gaming houses, bawdy houses, and other disorderly houses; to provide for the inspection of lumber and other building materials to be sold and used therein; to regulate the inspection of wood, coal, flour, lard and butter; to regulate and order partition and parapet walls, and partition fences; to regulate the storage of all combustible materials, such as gunpowder, tar, pitch, rosin, hemp and cotton; to sink wells and erect pumps for public convenience; to impose fines and forfeitures and provide for the collection thereof, *provided* no fine or forfeiture shall be less than one dollar nor more than one hundred; to regulate and fix the compensation of all officers of the corporation; they shall have power to regulate, pave, grade, and improve the streets, avenues, lanes and alleys within the corporation, and to extend, open, and widen the same, making the person or persons injured thereby, adequate compensation, to ascertain which the trustees shall cause to be summoned twelve good and lawful men, freeholders and residents of said town, not directly interested, who being first duly sworn for that purpose, shall enquire into and take into consideration, as well the benefits as the injury which may accrue, and estimate and assess the damages.

SEC. 9. That upon application of the owners of two-thirds of the front of the lots on any street or parts of a street, it shall be lawful for the board of trustees to levy and collect a special tax on the owners of the lots on said street or parts of a street, according to their respective fronts, for the purpose of grading and paving the side walks on said street, and upon a similar application, to levy and collect a tax in the same manner, for the purpose of erecting lamps and lighting the same.

SEC. 10. When any real estate in said town of Galena shall have been sold by the authority of the corporation thereof, the same shall be subject to redemption in the

same manner as is provided by the authority of this State for the redemption of lands sold for taxes.

SEC. 11. All ordinances of said trustees, shall be fairly written out, signed by the clerk, and published in a newspaper printed in the town, or posted up at three of the most public places in said town, and no ordinance shall be in force until published as aforesaid. Ordinances shall be published.

SEC. 12. The trustees aforesaid shall have power to preserve good order, to punish by fine any open indency, breaches of the peace, horse racing, shooting or riotous meetings, obstructing the streets and public highways.

SEC. 13. It shall be the duty of any justice of the peace residing in said town, and he is hereby authorized and empowered on complaint being made to him on oath, of the violation of any law or ordinance of said corporation, to issue his warrant directed to the town constable, or in case of his absence to any authorized county officer, to apprehend the offender or offenders, and bring him or them forthwith before him, and after hearing the evidence, if it shall appear that the said accused has been guilty of the violation of any such law or ordinance of the corporation, to impose such fine or imprisonment as shall be pointed out in such law or ordinance, *provided*, such fine shall not exceed one hundred dollars, and imprisonment exceed ten days; *provided however*, that writs of certiorari and appeals shall be granted from judgments under this act, as in other civil cases. Offenders shall be fined or imprisoned. Appeals granted.

And in all cases under this act, the defendant shall be entitled to an appeal to the circuit court, by entering into bond or recognizance as the case may require, before the clerk of the circuit court of Jo Daviess county, within twenty days after the rendition of the judgment, with such securities and in such an amount, as the clerk may think right and proper: *And provided further*, should any of the power herein conferred interfere with private rights growing out of former grants by the Legislature or county commissioners' courts of said county, the same to be nugatory and void. By giving bond

SEC. 14. The present trustees and other officers of the corporation of the town of Galena, shall continue in office until those provided for by this [act] shall have been elected, appointed and qualified.

This bill having remained with the council of revision ten days, (Sunday excepted) and the General Assembly being in session, it has become a law, this 26th February 1837.

A. P. FIELD,
Secretary of State,

In force, 7th
Feb. 1837

AN ACT to incorporate the Griggsville Female Academy.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That James Hutchinson, sen., Reuben Hatch, sen., J. A. Collins, George S. Purkitt, J. McWilliams, J. M. Higgins, and J. Hutchinson, jun., and their successors, be and they are hereby created a body politic and corporate, to be styled "The Trustees of the Griggsville Female Academy," and in that name to remain in perpetual succession with power to sue and be sued, plead and be impleaded, to acquire, hold, and convey property, real and personal; to have and use a common seal; to alter the same at pleasure; to make and alter, from time to time, such by-laws as they may deem necessary for the government of said institution, its officers, and servants: Provided, Such by-laws be not inconsistent with the constitution and laws of the United States, or of this State.*

Persons incorporated

Name & style
To have succession
Powers
To have a seal
Make by-laws

Proviso

Power to fill vacancies
To hold property

No faith required

When located

Power to hold estate

May sell the same

How to apply proceeds

Proviso

SEC. 2. *The trustees shall have power to fill such vacancies in their own body as may happen by death or otherwise, and shall hold the property of said institution solely for the purposes of female education, and not as a stock for the individual benefit of themselves; and no particular religious faith shall be required of those who become trustees or students of the institution.*

SEC. 3. *Said institution shall be located in or near the town of Griggsville in Pike county; and the said trustees shall be competent in law and equity to take to themselves and their successors in office, in their said corporate name, any estate, real, personal, or mixed, by gift, grant, bargain and sale, conveyance, will, devise or bequest of any person or persons whomsoever; and the same estate, whether real or personal, to grant, bargain, sell, convey, demise, let, place out on interest, or otherwise dispose of for the use of said institution, in such manner as shall seem to them most beneficial to the institution. Said trustees shall faithfully apply all funds collected, or the proceeds, according to their best judgment, in erecting and completing suitable buildings, supporting the necessary officers, instructors, and servants, and procuring books, maps, charts, globes, philosophical and other apparatus necessary for the use of said institution: Provided, nevertheless, That, in case any donation, devise or bequest shall be made for particular purposes accordant with the design of this institution, and the corporation shall accept the same, every such donation, devise, or bequest shall be applied in conformity with the express conditions of the donor or devisor.*

SEC. 4. *The treasurer of the institution shall, before*

entering upon the duties of his appointment, give bond for the security of the corporation in such penal sums, and with such securities as the board of trustees shall approve; and all process against the corporation shall be by summons, and the service of the same shall be by leaving an attested copy thereof with the treasurer at least thirty days before the return thereof.

Treasurer to give bond and security
Process, how served

SEC. 5. The trustees shall have power to employ and appoint a principal for said institution, and all such instructors and instructresses, and also such servants as may be necessary; and shall have power to displace any or either of them, as they may deem the interest of the institution may require; to fill such vacancies which may happen by death, or otherwise, among said officers and servants; and to prescribe and direct the course of study to be pursued in said institution.

Power of trustees, &c.

SEC. 6. The lands within the bounds of this State, held in perpetuity by this charter, shall not exceed twenty acres held at any one time; and if donations in land shall be made at any time to said corporation, the same may be held in trust by said board of trustees, and shall be sold within three years from the date of such donation for the benefit of said institution: in failure whereof the lands so given shall revert to the donor, or grantor of the same; and the said board of trustees shall in no case lease or rent out any lands so held in trust as last aforesaid.

What quantity of lands may be held
And how

SEC. 7. The object of said corporation shall be the promotion of the general interest of female education, and to qualify young females for the honorable and useful discharge of the various duties of life.

Object

APPROVED 7th February, 1837.

AN ACT to incorporate the Mississippi and Illinois Canal Company. In force, 20th Feb. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That Jacob Fry, Alfred W. Cavarly, Isaac Darneil, Thomas Cummings, William Gerome, and John Caldwell, of Greene county, and William Fry, John McDonald, Lewis Roberts, and Jacob Pruden, of Calhoun county, and their associates who shall become stockholders agreeably to the provisions of this act, are hereby constituted a body corporate by the name of the Mississippi and Illinois Canal Company, and by that name may sue and be sued, defend and be*

Persons incorporated

Name

- Powers** defended, both in law and equity, in all courts whatsoever. Said company shall have power to adopt and use a common seal, and change the same at pleasure; to make, ordain, and establish such by-laws, rules, and regulations not inconsistent with the laws of this State, as they may deem necessary for their own government, and the prosecution and completion of the work contemplated by this act.
- By-laws**
- May construct canal** **SEC. 2.** The Mississippi and Illinois Canal Company shall have power to construct and maintain a canal of such width and depth as they may judge proper, from the Mississippi to the Illinois river in Calhoun county, crossing the peninsula between said rivers at the most suitable place near the town of Guilford, and to transport persons and property on the same, and receive such tolls and charges for the same as said company shall establish from time to time by their ordinance or by-laws.
- Capital stock** **SEC. 3.** The capital stock of said company shall be three hundred thousand dollars, with power in said company to increase the same to one million, if found necessary by said company to complete said canal, by reopening books and receiving new subscriptions, in such manner and at such times as they may from time to time direct; which said capital stock shall be divided into shares of one hundred dollars each, which shall be considered as personal property and made transferable in such way as said corporation may direct.
- Shares Transferable**
- Commissioners to open books** **SEC. 4.** That Jacob Fry, John Caldwell, Thomas Cummings, William Gerome, Alfred W. Cavarly, Isaac Darnel, William Fry, John McDonald, Levi Roberts, and Jacob Pruden are appointed commissioners to open books for subscription to the capital stock of said company, at such times and at such places, as a majority of them may direct, either by themselves or such of their number as a majority of said commissioners may authorize for that purpose, by giving public notice thereof in some newspaper printed in this State, and in such other way as they may deem best calculated to ensure the subscription of the stock.
- Notice**
- 5 per cent. to be paid on subscribing** **SEC. 5.** Each person at the time of subscribing shall pay to the commissioner or commissioners hereby authorized to open the books, five per centum on the amount of stock subscribed by him, and as soon as fifty thousand dollars of said stock shall be subscribed, the said commissioners, or a majority of them, may call a meeting of the subscribers to the capital stock, by giving thirty days notice of such meeting in some newspaper printed in this State, and in such other manner as they deem best for the election of five directors, and such
- Meeting**
- Election of directors**

election shall be held at the time and place designated in said notice by the stockholders that may attend, or such as do not attend, by proxy, and those persons having the highest number of votes shall be duly elected, and each share of stock shall entitle the owner to one vote; and the said commissioners herein named, or a majority of them, shall be inspectors of and conduct the first election, and shall immediately after the election is over make out a certificate for each person so elected, under their hands and seals, and deliver the same to said directors, with all the moneys, books, and papers in their hands pertaining to said company. The first meeting of directors under this act shall be held at Carrolton within ten days after the election. Meetings where held

SEC. 6. In the event that a greater amount of stock shall be subscribed than is authorized by this act, the excess shall be taken from each subscriber in proportion to the amount subscribed. When too much subscribed

SEC. 7. At the first meeting after each election of the directors of said company, they shall choose one of their own number as President, and the directors first elected shall continue in office until the first Monday in June, 1838, and until others shall be elected: and the election for five directors shall be held on the first Monday of June in each year thereafter at such place as the directors shall designate. Each subsequent election shall be held under the direction of three of the stockholders, who shall previously be appointed by the directors for that purpose. The election for directors shall be held by ballot. No person shall be a director who shall not be a stockholder of at least one share at the time of his election. If any two persons voted for for directors shall receive an equal number of votes, those who shall have a plurality of votes shall determine by ballot which shall be entitled to the office. President, how chosen
Annual elections

SEC. 8. Should the stockholders fail to meet at the time herein specified to hold their elections for directors, the said corporation shall not thereby forfeit its charter, but the directors in office shall continue therein with full power to exercise the duties conferred on them until their successors shall be duly elected. When elections not held at proper time

SEC. 9. The said directors shall cause such examinations, surveys, and estimates to be made, as may be necessary to the location of said canal on the most advantageous line, from a point on the Mississippi river below the town of Gilead, to such point at or near the town of Guilford, as they shall designate for the termination of the same. To cause examinations and surveys to be made

SEC. 10. The said corporation shall have the power to purchase, receive, and hold such real estate as may Power to purchase real estate

be necessary and useful in the accomplishment of the objects of its creation; and the said corporation are hereby authorized to hold all lands which may be given, granted, or donated to the same by any person or body politic; and to sell and convey the same. The directors of said corporation are also authorized to enter upon and use any and all lands over and upon which the said canal may pass, and so much of said land as may be necessary to the construction, and the convenient use and employment of the same; also, to take and use such timber, stone, and other materials as may be indispensable to the construction and maintenance of said canal: *Provided*, That said corporation shall pay to the owner of the lands entered upon and used as aforesaid such damages as said owner may sustain, by reason of taking the timber, stone, and other materials by said directors, before entering upon and taking the same. But if the said stockholders and owner of the lands entered upon, and the timber, stone and other materials taken, should not agree upon the amount of damages claimed by the owners thereof, the amount of damages shall be ascertained according to the provisions of "An act concerning the right of way, and for other purposes," approved February 28th, 1833.

May enter upon lands

Proviso

Powers to use waters, &c.

SEC. 11. The said company shall have power, and are hereby authorized, to use the waters of the Mississippi river to supply the water of the canal or otherwise, and to make such dams and locks as may be necessary to procure a sufficient quantity of water for said canal, or otherwise: *Provided*, That said company shall be responsible for all damages sustained by the overflowing of any lands by the owner thereof, and also for all damages sustained by making dams or locks on the land of any person or persons whatsoever; and if said canal shall cross any public road, the said canal company shall erect suitable bridges to cross the same.

Proviso

May appoint agents

SEC. 12. The directors of said company shall have the power to transact all the business of the corporation, and to this end may appoint such agents, clerks and engineers, and other persons, as may be necessary to manage the business of the company. They shall have power to prescribe all such rules, and to adopt all such by-laws, touching the management and disposition of the stock, property, and estate of the company, and the conduct and duties of all persons employed by the company, as may be necessary. They shall also have power to require payment of the stockholders, by instalments at such times as the same may be needed for the construction of the canal, or for any other purpose authorized by this act,

May make rules & by-laws

May require payment of stock

and from time to time give public notice of the payment thus required, and of the time and place of such payment in some newspaper printed nearest said projected canal, and such other papers as may be selected, such notices to be published at least four weeks previous to the day appointed for such payment, and the directors are authorized to cause the stock of such stockholders as make default in the payment of any instalments which may be called for to be sold or to provide for the forfeiture of such stock to the company.

SEC. 13. A majority of the board of directors shall constitute a quorum to do business, and shall have and exercise all the powers conferred upon the company. The said directors may contract and be contracted with, and loan any amount of money subscribed and paid in, to such person or persons, upon personal or mortgage security as the company may not have immediate use for in the prosecution and completion of said canal, and at the same rate of interest which can now be agreed upon and recovered by law by individuals.

SEC. 14. The canal, to be constructed by said company, shall be of sufficient width and depth to admit the passage of canal boats of the ordinary kind, and the company shall be responsible for all accidents and delays occasioned by the carelessness, negligence or inattention of any of its agents. Said company shall permit all persons to pass upon said canal with boats and property whenever the same is passable upon payment of such tolls as may be fixed upon by the directors, which tolls shall in all cases be uniform.

SEC. 15. If any person shall wilfully injure or destroy any lock, dam, embankment, or any part or parcel of said canal, or any building, boat, or other property on the line of said canal belonging to said company, such person shall forfeit and pay treble the amount of damages sustained, to be recovered by action of debt in any court, having jurisdiction of the same, or before a justice of the peace in the name of said corporation, and be also subject to indictment and punishable by fine and imprisonment.

SEC. 16. The mode of suing said corporation shall be by summons, and a copy of the summons delivered to the President of the board, the secretary, or treasurer shall be sufficient service of process to require the corporation to answer and to authorize any court to proceed to judgment.

This bill having remained with the Council of Revision ten days, Sundays excepted, and the General Assembly being in session, it has become a law this 20th day of February, 1837. A. P. FIELD, *Secretary of State.*

In force 11th
Feb. 1837.

AN ACT incorporating the Monroe Mining manufacturing and exporting company.

SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly,* That John Winstanly of St. Clair county, and his associates, successors and assigns, are hereby created a body politic and corporate, by the name and style of the Monroe Mining, Manufacturing, and exporting company.

Body created.

Name and style.

May contract.

Seal.

To make by-laws.

SEC. 2. Said company shall be competent to contract and be contracted with, and be capable in law and equity to sue and be sued, to plead and be impleaded, to answer and be answered unto, to defend and be defended in all courts and places, and in all matters whatsoever. Said corporation may have and use a common seal which they may alter or change at pleasure, and may also make and establish and put in execution, such by-laws, ordinances and regulations as may be necessary for the good government of said corporation, and the prudent and efficient management of its affairs.

Capital stock
\$500,000
Shares \$100.
May be increased to
\$1,000,000.

SEC. 3. The capital stock of said company shall be five hundred thousand dollars, divided into shares of one hundred dollars each, as the directors may see proper, and the capital stock may hereafter be increased to one million, to be expended in the erection of mills, machines, works, boats, wagons, and such buildings as may be necessary to carry on their business, also to be expended in mining for stone coal and other materials.

To negotiate a loan.

SEC. 4. In order to facilitate the business operations of said grant, corporation, or company, they shall be authorised to negotiate a loan or loans of money to the amount of its capital stock, and to pledge all its property, real and personal, and all its rights, credits and franchises for the payment thereof.

Pay to county treasury one half per cent.

SEC. 5. The said corporation shall pay into the county treasury of Monroe county, on the first Monday in January annually, one half per cent (after the election of directors) upon the amount of stock actually employed by said company as a tax, which shall be in lieu of all other taxes or assessments upon the stock of said company for county purposes; the stock employed by said company shall be considered the amount of money expended by said company for the uses and purposes herein authorised.

To make affidavit.

SEC. 6. The president or treasurer of the company shall on the first Monday of January annually, make an affidavit before the county commissioners court or some justice of the peace of said county, to the amount of capital employed by said company, at the time of making

such affidavit, and the tax herein authorised shall be assessed upon the amount stated in the affidavit.

SEC. 7. That said corporation may purchase and hold such real estate as may be deemed necessary for the trans-^{To hold real estate.} action of its business, to an amount not exceeding two sections of land, and to take and hold any real estate as securities mortgaged or pledged to said corporation, to secure the payment of any debts due, or that may become due to it, and also to purchase on sales made by virtue of any judgment at law, or any decree of a court of equity in favor of said corporation, to take and receive any real estate in payment or towards satisfaction of any debt previously contracted or due said corporation, and to hold the same until they can conveniently and advantageously sell and convert the same into money, or other personal property, and to sell and convey said real estate or any part thereof, *Provided*, All real estate purchased under judgment or decree, or taken in payment of debts as aforesaid,^{Proviso.} shall be sold within three years from the date of purchase, otherwise the same shall be forfeited to the State of Illinois.

SEC. 8. This act is hereby declared a public act, and shall take effect from its passage, and remain in force for the period of twenty years.^{Public act. In force twenty years.}

APPROVED 11th Feb., 1837:

AN ACT to incorporate the trustees of Peoria Academy.

In force 11th Feb., 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Amos Russell, Edward Dickinson, George W. F. Dashiell, Amos Stephens, Enoch Cross, Lewis Bigelow, John Armstrong, Peter Bartlett, Samuel Lowery, Johnson R. Stanton, Robert E. Little, and Rudolphus Rouse, and their successors be and they are hereby constituted and declared a body politic and corporate, by the name and style of the Trustees of Peoria Academy, and by that name to have perpetual succession with the capacity of suing and being sued, pleading and being impleaded, of acquiring, holding, and conveying property both real and personal, of making contracts in execution of the powers hereby conferred, and of having and using a common seal; and with power to make and ordain such by-laws, rules and regulations as shall be deemed needful and proper for the government of said institution, *provided*, the same be not inconsistent with the constitution and laws of this State, or of the United States.^{Trustees of Peoria Academy appointed.}

May receive
donations in
land &c.

Limited to
640 acres.

Trustees shall
elect all officers
and teachers
by ballot.

Notice of meet-
ing of trustees.

Persons eligi-
ble as officers
and teachers
and students.
Power of ex-
pulsion for
gross immoral-
ity.

SEC. 2. The said Academy shall be located in Peoria, in the county of Peoria, and the powers and privileges hereby conferred, shall be exercised and employed for the sole purpose of establishing a seminary of learning, and promoting education. All gifts, grants, and donations, which shall be made for the use of the said institution, shall be received and held by the trustees for that purpose, and the same or the proceeds thereof, shall be applied in such manner as shall best promote the object and advance the prosperity of the said institution, *provided however*, That the lands within this State, to be held in perpetuity for the use of said institution, shall not exceed six hundred and forty acres, and all donations exceeding that quantity shall be sold within five years from the date thereof, for the benefit of the institution, and in failure of such sale the lands so given shall revert to the donors, and *provided also*, That all donations made for particular purposes expressed in the grant, if accordant with the proper objects of said institution, and accepted by the trustees, shall be applied in conformity with the design of the donors.

SEC. 3. The board of trustees shall consist of twelve members, who are inhabitants of this State, a majority of whom shall constitute a quorum for the transaction of business; they shall elect by ballot, all such instructors and officers as shall be deemed necessary and convenient, and shall have the general superintendence, management, and direction of the concerns of said Academy, and whenever any vacancy shall occur in the board of trustees by death resignation or otherwise, the same shall be filled by the remaining members; their meetings for the transaction of business shall be held at such times and places as they shall appoint, to be called by giving personal notice thereof, to each individual member, or by publishing notice in some newspaper printed in Peoria, or by posting the same in three or more public places in said town, five days at least before the time of meeting.

SEC. 4. All persons of good moral character, and suitable qualifications without regard to their religious faith, shall be eligible as officers and teachers, and admissible to pupilage in said Academy; the trustees however shall have power to expel any student and to remove any officer or teacher for gross immorality or misconduct, *provided*, That two thirds of the members present concur in such expulsion or removal, and *provided also*, That the accused shall have notice of the charges against him, and have an opportunity of being heard in his defence.

APPROVED Feb. 11th, 1837.

AN ACT to incorporate the Rock Island City Bridge Company.

In force 11th
Feb 1837

SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly,* That all persons who shall become stockholders, pursuant to this act, shall be and they are hereby constituted a body politic and corporate by the name of "Rock Island City Bridge Company," for the term of fifty years.

Incorporation

SEC. 2. The capital stock of said company shall be divided into one thousand three hundred shares of one hundred dollars each.

Capital stock
and share

SEC. 3. George Davenport, Levi C. Turner, William Dickson, Miles W. Conway, John W. Spencer, John S. Miller and William Curr shall be commissioners for opening books for receiving subscriptions to the capital stock of said corporation. The said books shall be opened on or before the first day of September next, and each of the said commissioners may receive subscriptions, and on subscribing shall be paid five dollars on each share subscribed.

Commissioners
to open books
for subscription
and what amount
required
to be paid

SEC. 4. Whenever five hundred shares of the stock of the said corporation, shall be subscribed, the commissioners shall cause to be given to the stockholders at least twenty days notice of the time and place of meeting of the said stockholders, by publishing once in each week, next preceeding said time of meeting in two newspapers, printed nearest to the place of erecting the bridge to choose directors. At the time and place appointed the stockholders shall choose seven directors being stockholders of said corporation, a quorum of whom shall be competent to transact business. A new election of directors shall be made annually at such time and place as the stockholders at their first meeting shall appoint. The directors, at any election shall, as soon thereafter as may be, choose out of their number one person to be president, and shall also appoint a secretary and a treasurer.

When \$500
subscribed.
notice to be
given of meet-
ing.

To choose di-
rectors and
number

Quorum

A new election
to be held an-
nually

To choose a
President

SEC. 5. The directors may continue to receive subscriptions to the stock of said company until the whole number of shares shall be subscribed.

Directors may
keep subscrip-
tion books open

SEC. 6. The directors may demand from the stockholders respectively, all such sums of money by them subscribed at such times and in such proportions as they may think proper, under the penalty of forfeiting their respective shares, and all previous payments thereon to the said president, directors and company, not impairing the right of enforcing payment by process of law of the subscription made under this act as aforesaid.

May demand
subscription
money under
penalty of for-
feit

SEC. 7. The said corporation may erect a bridge across Rock river, at Rock Island City. Said bridge is to be so constructed as to do no injury to the navigation of the riv-

May erect a
bridge across
Rock river

er, and that steam or other boats may pass without difficulty.

Power to take possession of lands

SEC. 8. The president and directors, or other persons employed by them, may enter upon and take possession of the land on each side of the river where the said bridge shall be erected; and the said corporation, on taking possession of any such land, or on receiving a conveyance thereof, shall pay the owner or owners the value of so much of the same as may be necessary for making and erecting said bridge and establishing a gate, toll house, and all other works to the said bridge; and in case of disagreement between the parties as to such value, the same shall and may be ascertained by three freeholders of the county of Rock Island, who shall be appointed for that purpose and sworn to make a just valuation, by the county commissioners' court, on application of or from the said President and directors, to them for such appointment.

To pay for same & how

SEC. 9. Whenever the said bridge shall be completed and the fact certified by one of the commissioners of the county court of Rock Island county, the rates of tolls are to be regulated by the president and directors of said company, subject to the approval of the county commissioners' court.

Rates of toll

Forfeiture for injuring bridge, and how recovered

SEC. 10. If any person shall wilfully impair or injure the said bridge, he shall forfeit and pay to the corporation the sum of twenty dollars, to be recovered with costs of suit, and shall also be liable to pay to the said corporation double the amount of damages sustained, with costs of suit, to be recovered in an action of trespass.

Forfeiture for passing gates without paying toll

SEC. 11. If any person shall forcibly pass the gate without paying the legal toll, he shall forfeit and pay to the said corporation eight times the amount of legal toll; to be recovered by action of debt with costs of suit.

Forfeiture for requiring more than legal toll
Persons going to or returning from church.
How recovered

SEC. 12. If any toll-gatherer shall unreasonably delay or hinder any passenger at the gate, or receive more than the legal toll, or shall demand or receive toll from [any] person or persons, either on foot or in carriages, going to or returning from their usual place of attending religious worship, he shall, for every such offence, forfeit and pay the sum of five dollars, to be recovered with costs, to the use of the person or persons unreasonably delayed or hindered.

Shares to be personal

SEC. 13. The shares of the stockholders of the said corporation shall be considered to be personal estate, and shall and may be transferred as such.

May be transferred

No other bridge to be erected in two miles

SEC. 14. It shall not be lawful for any person to erect a bridge across the Rock river within two miles of said bridge at any time when the said bridge shall be in a safe state for crossing over the same:

SEC. 15. The said bridge shall be built not less than twenty-four feet wide, and be well secured by a railing on each side not less than four feet high. Width, &c.

SEC. 16. It shall not be lawful for any person or persons to ride or drive over said bridge faster than a walk with his, her, or their teams: nor shall it be lawful for any person or persons to drive more than twenty head of cattle or horses, on said bridge at a time, on penalty of forfeiting for every such offence not less than five dollars, to be recovered with costs of suit in the name of the treasurer, for the use of the said corporation, if a notice to this effect shall be posted at each end of the bridge. Penalty for riding or driving out of a walk, or driving more than twenty head of cattle or horses over the bridge at a time and how recovered

SEC. 17. If the said bridge shall not be commenced within one year and completed in five years after the passage of this act; or, if the same shall be carried away or destroyed and not rebuilt within eighteen months thereafter, then the said corporation shall from thenceforth cease, and this act be null and void. When to be begun and when finished, &c.

SEC. 18. The Legislature reserves the power and privilege of altering, amending or annulling this act whenever in its opinion the public welfare shall require it. Reservation

APPROVED 11th February, 1837.

AN ACT to incorporate the Carthage Female High School and Teachers' Seminary. In force 15th Feb. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly,* That Sidney H. Little, David W. Matthews, Samuel Marshall, Benjamin F. Marsh, Thomas H. Owens, Mark Aldrich, John Lawton, Samuel M. Newhall, Walter Bagby, Thomas Gregg, Ellis Hughes, Homer Brown, E. D. Vandevent, David Greenleaf, Michael Richard, Valentine Wilson, Wesley Williams, Julius A. Reed, E. Chandler and Cyrus Felt and their successors be, and they are hereby created a body politic and corporate, to be styled and known by the name of the "Trustees of the Carthage Female High School and Teachers' Seminary," and by that style and name to remain and have perpetual succession. The said High School and Seminary shall be and remain at, or within one mile of Carthage, in the county of Hancock and State of Illinois. The number of trustees shall not exceed twenty, nor be less than twelve. Persons incorporated

SEC. 2. The object of said corporation shall be the promotion of the general interest of education. Name and style Object

Their powers

SEC. 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said object, and such as are usually conferred on similar bodies corporate, to wit: To have perpetual succession; to make contracts; to sue and be sued; plead and be impleaded; to grant and receive by its corporate name and to do all other acts as natural persons may; to accept, acquire, purchase, or sell property, real, personal, or mixed in all lawful ways; to use, employ, manage and dispose of all such property, and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the object before mentioned, to have a common seal, and to alter or change the same; to make such by-laws for its regulation as are not inconsistent with the constitution and laws of the United States, or of this State, and to confer on such persons as may be considered worthy, such academical or honorary degrees as are usually conferred by similar institutions.

Further powers of trustees

SEC. 4. The trustees of said corporation shall have authority from time to time to prescribe and regulate the course of studies to be pursued in said institution to fix the rates of tuition, and other expenses; to appoint instructors and such other officers and agents as may be necessary in managing the concerns of the institution; to define their duties; to fix their compensation, and to displace or remove them; to erect necessary buildings; to purchase books, chemical and philosophical apparatus, and other suitable means of instruction; to make rules for the general management of the affairs of the institution, and for the regulation of the conduct of the students.

Appoint instructors and officers

Prescribe their duties and fix their salaries
Purchase books &c. make rules &c.

Fill vacancies

SEC. 5. The trustees for the time being in order to have perpetual succession, shall have power to fill any vacancy which may occur in the board from death or otherwise, one-third of the whole number of the trustees shall be a quorum to do business.

Quorum

Appoint a treasurer, who shall give bond and security

SEC. 6. It shall be the duty of said trustees to appoint one of their number treasurer to the board, who shall be required to give bond with sufficient security in such penal sum as the board may prescribe, conditioned for the performance of such duties as the by-laws may require of him.

To be open to all denominations
Power to expel

SEC. 7. The said institution shall be open to all denominations of christians, and the profession of any particular religious faith shall not be required of those who become students: all persons however, may be suspended or expelled from said institution by the trustees thereof, whose habits are idle, or whose moral character is vicious.

Power to introduce system of

SEC. 8. The board of trustees shall have the liberty if it shall be by them thought best to promote the general ob-

jects of the institution, to introduce a system of manual labor, and in such case they shall determine the proportion of labor of each student, and shall account to each student for such labor, which shall be appropriated to the discharge of his or her expenses in said institution.

SEC. 9. The lands, tenements and hereditaments to be held in perpetuity in virtue of this act by said institution shall not exceed one hundred and sixty acres, *Provided*, however, that if donations, grants or devises in land shall from time to time be made to said corporation over and above one hundred and sixty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said corporation for the period of five years from the date of every such donation, grant, or devise, at the end of which time, if the said lands over and above one hundred and sixty acres shall not have been sold then and in that case the said lands so donated, granted, or devised, shall revert to the donor, grantor, or the heirs of the devisor of the same.

manual labor, and determine the proportion of labor to each student in discharge of expenses
Their lands not to exceed 160 acres
Proviso

APPROVED 15th February, 1837.

AN ACT to incorporate the Knox Manual Labor College.

In force Feb. 15, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That John Waters, John G. Sanburn, Mathew Chambers, Erastus Swift, Nehemiah H. Losey, George H. Wright, Ralph H. Hurlburt, George W. Sale, Nehemiah West, Thomas Simmons, and Parnach Owen, be and hereby are created a body politic and corporate, to be styled and known by the name of the trustees of Knox Manual Labor College, and by that name and style to remain, and have perpetual succession, the said college shall be located on section No. fifteen, in township No. eleven north, of range one east, of the fourth principal meridian in the county of Knox. The number of trustees shall not exceed twenty-five including the President of the College, who shall be ex officio a member of the board of trustees. For the present the individuals above named, shall constitute the board of trustees with power to fill the remaining vacancies at their discretion.

Corporation created body politic and corporate.
College to be located at.

Trustees to constitute a board.

SEC. 2. The object of said corporation shall be to promote the general interests of literature, and to qualify young men in the best manner for the various professional and business occupations of society, by carrying into ef-

Object of corporation.

fect a thorough system of mental, moral, and physical education, and so reduce the expences of such education by manual labor and other means, as shall bring it within the reach of every young man of industry and promise.

Privileges and powers of corporation.

SEC. 3. The corporate powers hereby bestowed, shall be such only as are essential to the attainment of said object, and such as are usually conferred on similar bodies corporate, viz: to have perpetual succession, to make contracts, to sue and be sued, plead and be impleaded, to grant and receive in its corporate name, and to do all other acts as natural persons may, to accept, acquire, purchase or sell property, real, personal, or mixed, in all lawful ways, to use, employ, manage, and dispose of all such property, and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the above mentioned objects, to have a common seal and to alter or change the same, to make such by-laws for its regulation as are not inconsistent with the constitution and laws of the United States or this State, and to confer on such persons as may be considered worthy of such academical and honorary degrees as are usually conferred by similar institutions.

Powers of trustees

SEC. 1. The trustees shall have power from time to time to prescribe and regulate the course of study to be pursued in said college, and in the preparatory departments attached thereto, to fix the rate of tuition, room rent and other college expenses, to appoint instructors, professors, and such other officers and agents as may be needed in managing the concerns of the institution, to define their powers, duties, and employments, to fix their compensation to displace and remove either of the instructors, officers or agents, as they may deem the interests of the college require; to fill all vacancies among the instructors, officers and agents, to erect necessary buildings, to purchase books, chemical, and philosophical apparatus and other suitable means of instruction, to establish and regulate the proposed system of manual labor, in the way which they shall deem best adapted to promote the object of said corporation, to make rules for the general management of the affairs of the college, and for the regulation of the conduct of the students, and to establish when they shall deem it expedient, and the means can be procured, professorships of law and medicine.

Vacancy of trustees to be filled by board.

SEC. 5. If any trustee shall be elected president of said college, his former place as trustee shall be considered vacant, and shall be filled by the board of trustees. The trustees for the time being, shall have power to remove any trustee from office for any dishonorable or criminal conduct, *Provided*, That no such removal shall take place

Florida.

without giving to such trustee notice of the charges exhibited against him, and an opportunity to defend himself before the board, nor unless two-thirds of the whole number of trustees for the time being, shall concur in such removal. The trustees in order to have perpetual succession, shall have power as often as a trustee shall be removed from office, die, resign, or remove out of the State, to appoint a resident of this State to fill the vacancy in the board. A majority of the trustees for the time being, shall be a quorum to do business.

SEC. 6. The trustees shall faithfully apply all funds collected or hereafter to be collected for said college, according to their best judgment, in erecting suitable buildings, in compensating the necessary instructors, professors, officers and agents, and in procuring books, maps, charts, globes, philosophical, chemical, and other apparatus necessary in the promotion of sound learning in said institution, *Provided*, That in case any donation, devise, or bequest, shall be made, for particular purposes, accordant with the objects of the institution, and the trustees shall accept the same, every such donation, devise, or bequest, shall be expressly applied in conformity with the condition prescribed by the donor, or deviser, *provided, also*, That lands donated or devised as aforesaid, shall be sold or disposed of as required by the last section of this act.

Trustees to apply funds &c.

Proviso.

SEC. 7. The trustees of said college always, and all other agents when required by the trustees, before entering upon the duties of their appointments, shall give bonds respectively for the security of the corporation, in such penal sum and with such securities as the board of trustees shall approve. All process against said corporation shall be by summons, and the service of the same shall be by leaving an attested copy with the treasurer of the college, at least thirty days before the return day thereof.

Trustees and agents to give bonds &c.

SEC. 8. The said college and its preparatory departments shall be open to all denominations of christians, and the profession of any particular religious faith shall not be required of those who become students; all persons however may be suspended or expelled from said institution whose habits are idle or vicious, or whose moral character is bad.

No religious faith required in preparatory departments.

SEC. 9. The lands, tenements, and hereditaments to be held in perpetuity in virtue of this act, by said institution, shall not exceed one thousand and forty acres, *Provided* however, That if donations, grants, or devises in land shall from time to time be made to said corporation, over and above one thousand and forty acres, which may be held in perpetuity as aforesaid, the same may be received and held by such corporation, for the period of three years from the

Proviso.

Time donation of lands

may be held by date of every such donation, grant, or devise; at the end corporation. of which time, if the said lands over and above the said one thousand and forty acres, shall not have been sold, then and in that case the said land so donated, granted, or devised, shall revert to the owner, grantor, or the heirs of the devisors of the same.

APPROVED Feb. 15th, 1837.

In force, 18th
Feb. 1837

AN ACT to incorporate the Peoria Commercial Insurance Company.

The Peoria
commercial in-
surance compa-
ny established.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there shall be established in the town of Peoria an insurance company to be called the "Peoria Commercial Insurance Company."

For twenty
years.

SEC. 2. All such persons as shall become stockholders, their successors and assigns, are hereby incorporated as a body corporate and politic, by the name and style aforesaid, to have continuance for and during the term of twenty years from and after the passage of this act, and such corporate name and style shall be for the time aforesaid capable in law and equity to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all manner of suits, actions, pleas, causes, matters and demands whatsoever, in as full and effectual a manner as any person, body corporate or politic, may or can do, and may have a common seal which they may alter or break at pleasure, and may purchase, hold and convey any real estate or personal property for the use of said company, *provided,* that the said company shall not at any one time hold real estate exceeding the value of five thousand dollars, excepting such as may be taken for debt, or held as collateral security for money due to said company.

May hold real
estate to the
value of five
thousand dol-
lars.

Authorized to
insure all kinds
of property.

SEC. 3. The said company shall have full power and lawful authority to insure all kinds of property against loss or damage by fire, or any other cause or risk, to make all kinds of insurance against loss and damage on goods, merchandize and produce, in the course of transportation or otherwise, whether by land or water, and on any vessels or boats, wherever they may be, to loan any part of their capital stock, on *respondentia* or *bottomry*, or on mortgage of real estate, and to receive such interest therefor as is provided for by this act. Said company may cause themselves to be insured against any loss or risk they may have incurred in the course of their bu-

And loan any
part of capital
stock on inter-
est.

business, and against any maritime or other risk upon the interest they may have in any vessel, boat, goods, merchandise or other property, by means of any loan or loans which they may have on respondentia or bottomry, and generally to do and perform all other necessary matters and things connected with, and to promote the objects of, their incorporation, *provided*, that where said company shall lean out on mortgage of real estate any portion of their capital stock, they shall not be authorized to receive a higher rate of interest therefor than ten per cent. per annum.

Not higher than 10 per cent.

SEC. 4. The capital stock of said company exclusive of notes and profits arising from business, shall be fifty thousand dollars, and shall be divided into shares of fifty dollars each, fifty per centum of which shall be paid in good and lawful currency of the United States, or of this State within the first six months after the directors of said company shall have been chosen, and the residue at such times and in such instalments as the president and board of directors may call for the same, under such penalties and forfeitures as the said president and directors may order and direct.

Amount of capital stock, one half to be paid in six months and the residue when called for

Penalty.

SEC. 5. The capital stock of said company may hereafter be increased to an amount not exceeding two hundred thousand dollars, should a majority of the stockholders deem it advisable, which additional stock shall be subscribed for under the direction of the president and directors of said company; fifty per centum of such increased capital stock shall be paid in within the first six months after the same has been subscribed for; *provided however*, that the capital stock of said company shall not be increased until the whole of the original stock is paid in. The stock of said company shall be deemed personal property, and assignable and transferrable on the books of the corporation, but no stockholder indebted to the corporation shall be permitted to make a transfer, until such debt be paid or secured to the satisfaction of the directors.

Capital stock may be increased.

May be transferred.

SEC. 6. Amos Stevens, Thomas Philips, D. C. Enos, J. C. Armstrong, Moses Pettingell, Andrew Gray, Cyrus Leland, Aquilla Wren, and J. D. Shewalter, are hereby appointed commissioners to receive subscriptions to the capital stock of said company. Said commissioners shall open one or more books for subscription to said stock on such days and at such places as they may deem proper, and keep the same open until the whole of the capital stock of said company shall have been subscribed for, giving at least twenty days notice of the time and place when such subscription books will be open. The sum of one dollar on each share shall be paid to the said commissioners at the time of subscribing, and whenever the whole amount of

Commissioners appointed.

One dollar on each share to be paid.

Meeting to be called. capital stock shall be subscribed for, said commissioners or a majority of them, shall call a meeting of the stockholders, by giving public notice in some newspaper published in this State, of at least fifteen days, for the purpose of choosing a board of directors in pursuance of this act, which meeting shall be held in the town of Peoria, and so soon as a board of directors are elected and organized, the said commissioners shall deliver over the subscription books, and the whole amount of money they may have received on subscription, to the said board of directors.

Directors how appointed. **SEC. 7.** The stock, property, and all the transactions and business of said company, shall be conducted by nine directors, who shall be chosen by the stockholders by ballot, each share being entitled to one vote. Said directors, at the time of their election, and during their continuance in office, shall be citizens of this state, and holders respectively of not less than ten shares of the capital stock of said company; said directors shall hold their office for one year from the time of their election, and until their successors are elected and qualified; they shall elect one of their own body president, and in case of the death or resignation of any one of said board whereby a vacancy shall occur, it shall be lawful for a majority of the surviving directors to appoint some person from among the stockholders of said company to fill such vacancy, who shall hold the office until the next annual election.

How vacancy filled. **SEC. 8.** The President and four of the directors, or five of the directors during the absence of the President, shall constitute a board competent to do and transact business, and shall have power to make such rules, regulations and by-laws, as to them may seem needful and proper, touching the management and disposition of the property, stock, and effects of said company, and the transfer of stock, and touching the duties of the several officers and clerks employed by them, and the election of directors, and all such matters as appertain to the business of insurance; and shall also have power to appoint a secretary, and to regulate the salary and pay of all such persons as shall be in their employment, *provided*, such by-laws and rules are not repugnant to the constitution and laws of this State or of the United States.

Board may make by-laws &c. **SEC. 9.** It shall be the duty of the directors of said company, at such times as the by-laws thereof shall prescribe, to make dividends of the profits and interest accruing from the business of said company, as to them shall seem meet and proper, and shall lay before the stockholders a particular statement of the profits, if any there be, after deducting losses and dividends, and also such other information relative to the affairs of said company, whenever a

Proviso.

Dividends.

To make report

majority of the stockholders shall require it; and said company shall not take any risk, nor subscribe any policy by virtue of this act, until one half of the capital stock of said company shall have been paid in.

SEC. 10. Said company shall not directly nor indirectly, Company not to trade. deal or trade, in buying or selling, any goods, wares, merchandize or other commodities whatever. The capital stock of said company, collected at each instalment, shall within six months thereafter be invested either in bank stock of the State Bank of Illinois, or loaned or secured by mortgage of real estate in this state, at such rates of interest as is lawful for individuals to charge in this State.

SEC. 11. In case of any loss or losses taking place, which shall be equal to the capital stock of said company, and the president and directors after knowing of said loss or losses having taken place, shall subscribe any policy of insurance, their estate jointly and severally, shall be accountable for any and every loss, which shall take place under policies so subscribed; and the estates of the stockholders as aforesaid shall be liable to any losses, equal to the amount of said stock subscribed and not paid in, in all cases of losses exceeding the means of said company, whether they consist of stock paid in or profits not divided. Estate of members of board accountable in certain cases.

SEC. 12. The said company shall not be permitted to insure on any one risk, an amount exceeding ten per centum of the capital actually paid in, and secured to be paid in, upon the call of the president and directors of said company, nor shall they be permitted to loan to any one individual or company, an amount exceeding eight per cent. of the capital so paid in. In what manner may insure

SEC. 13. So soon as the capital stock of this company shall have been paid in according to the terms of this charter, it shall be the duty of the president and directors thereof to report the same to the next General Assembly, and shall make oath that said money is paid in, as the capital stock of said company, and for no other purpose whatsoever, and a copy of the oath certified by some justice of the peace, shall be filed in the office of the county commissioners of Peoria county. President and directors to report to Legislature.

APPROVED February 18, 1837.

In force Feb.
18th, 1837.

AN ACT to incorporate the Illinois Beet Sugar Manufacturing Company.

Illinois Beet
Sugar Manu-
facturing Com-
pany.
Power.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edward Kilbourn, William Coleman jr., Alfred Buell, David W. Kilbourn and Enos H. Buell, and their associates and successors, be, and they are hereby constituted a body politic and corporate, under the name of the Illinois Beet Sugar Manufacturing Company, and by that name shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, in all courts having competent jurisdiction, and shall be vested with all the power and privileges necessary to the object of their incorporation.

May cultivate
and purchase.

SEC. 2. The said company shall have power to enter into and carry on the business of cultivating and purchasing the Sugar Beet, and manufacturing sugar from the same, to export their products and manufactures, to erect mills, works, machines, and such other buildings as may be necessary to carry on their business, and to enter into all contracts which may concern the use and management of said property.

Capital stock
\$100,000.
Power to in-
crease—not ex-
ceeding \$250,-
000.
Shares.
Proviso.
Debts of corpo-
ration shall not
exceed one-half
of capital.

SEC. 3. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same at the pleasure of said company to any amount not exceeding two hundred and fifty thousand dollars, which capital stock shall be divided into shares of one hundred dollars each, *Provided,* That the total amount of debt which said corporation shall at any time owe shall not exceed one half the amount of their capital stock, and in case of such excess the directors under whose administration it shall happen shall be holden for the same in their natural and private capacity, but this shall not be construed to exempt the corporate property of the company from being also liable and chargeable for such excess.

Subscription to
Stock.

SEC. 4. Subscription to the capital stock of said company shall be opened under the direction of the directors hereinafter named, and they shall distribute the stock among the several subscribers in such manner as they shall deem most conducive to the interest of said corporation; and it shall be the duty of the directors for the time being, to call for and demand of the stockholders, respectively, all sums of money by them subscribed, at such times and in such proportions as they shall see fit, under the penalty of the forfeiture of their shares and previous payments made thereon to the said corporation, always giving thirty days notice in the nearest newspaper.

Duty of Direc-
tors.
Penalty.

SEC. 5. The stock, property, and concerns of said cor-

poration, shall be managed and conducted by five directors, who shall at the time of their election be holders, respectively, of not less than ten shares of the capital stock of said company. Said directors shall be chosen annually, on the first Monday in June, by the stockholders or their proxies, which shall be by ballot; each share of the capital stock shall be entitled to one vote, and the persons receiving the highest number of votes shall be deemed duly elected, to hold their offices for one year, and until others are elected to fill their places. The directors so chosen, or the major part of them, shall constitute a board and be competent to the transaction of business, and may from time to time make and prescribe such by-laws, rules and regulations, relative to the concerns of said corporation, the duties of the president and agent (each of whom shall be elected by a majority of the directors so chosen) and shall also regulate the duties of their agents, clerks, and all others by them employed; and the said directors shall have power to appoint such other officers, agents and clerks, as may be necessary for carrying on the business of said corporation.

Shall be managed by five directors.

Directors to be chosen annually. Time of.

Shall hold office until others are elected.

May make by-laws.

Shall regulate duties of agents and clerks. May appoint all officers.

SEC. 6. Edward Kilbourn, William Coleman jr., Alfred Buell, David W. Kilbourn and Enos H. Buell, shall be directors from the time this act takes effect, and until others are elected. Four weeks previous notice of an election, after the first, shall be given, of the time and place of holding said election by publishing such notice once in each week for four weeks immediately preceding such election, in the nearest newspaper; and such election shall be holden under the inspection of the directors.

Directors appointed by state

Notice of election.

Directors be inspectors of elections.

SEC. 7. The company shall at all times keep proper books of account, in which shall be registered all the transactions of the corporation, and it shall be the duty of the directors to make annual dividends, or at such other times as a majority of the directors shall direct, of so much of the profits of said company as to them, or a majority of them, shall appear advisable; and the said directors, whenever required by a majority of the stockholders, shall exhibit at a general meeting a full and perfect statement of debts and credits, and all other such matters as may be deemed essential, relating to the affairs of the company.

Shall keep books. Shall register all transactions. Shall make annual dividends.

Shall exhibit statements when required.

SEC. 8. Any three of the stockholders, whenever they deem it necessary, may call a special meeting of the company. If it should at any time happen that an election of directors should not be made on the day when it ought to have been made, the corporation, for that cause, shall not be deemed dissolved, but it shall be lawful on any other day to meet and hold an election of directors in such

Special meeting. If elections should not be made—how to proceed.

manner as shall have been prescribed by the by-laws of said corporation.

SEC. 9. The stock not disposed of by the directors in the manner herein before named, shall and may be issued by the directors, for the time being, according to the by-laws and regulations that may be adopted by the said company.

May hold real estate

Proviso.

Not more than 1,000 acres.

Stock deemed personal property.

No transfer shall be made by stockholders while indebted to.

No banking powers vested in.

SEC. 10. The corporation created by this act shall be capable and are authorized to purchase, hold and convey, any estate, real or personal, that may be necessary to enable the same to carry on efficiently its business, *Provided*, That said company shall not hold at any one time more than one thousand acres of land, as defined in this act, and for no other purposes whatever.

SEC. 11. The stock of said corporation shall be deemed personal property and assignable and transferrable on the books of the corporation; but no stockholder indebted to the corporation shall be permitted to make a transfer until such debt be paid, or secured to be paid, to the satisfaction of the directors.

SEC. 12. That nothing in this act shall be so construed as to invest said company with any banking powers. The Legislature hereby reserves the right to alter amend or repeal this act whenever the public good requires the same.

APPROVED 18th February, 1837.

In force Feb. 10th. 1837

AN ACT to incorporate the Jo Daviess Marine and Fire Insurance Company

Corporation created Powers and privileges

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George W. Campbell, M. C. Comstock, George Furgason, J. M. Bartlett, D. B. Morehouse, R. W. Brush, H. Newhall, John Howe, T. B. Farnsworth, Jacob Wyth, S. H. Scales, F. Stake, Henry Corwith, J. W. Stephenson, Samuel T. Cluff, F. Sherman, Charles Peck, J. S. Johnson, Thomas Spriggins, J. P. B. Gratiott, H. H. Gear, G. P. Billon, N. S. Head, Daniel Wann, A. T. Crow, and William A. Jordan, and their associates, successors, and assigns, be and they are hereby incorporated into a body corporate and politic, by the name and style of the Jo Daviess Marine and Fire Insurance Company, to be located in the town of Galena, and to continue for sixty years from and after the passage of this act, and by that name and style shall be competent to contract and be contracted with, be capable in law and equity to sue and be sued, to plead and be

impleaded, answer and be answered unto, defend and be defended in all courts and places, and in all matters whatsoever kind and nature they may be, in as full and efficient a manner as any person or persons, bodies corporate and politic may do.

SEC. 2. The said corporation may have and use a common seal which they may alter, change or break at pleasure: and may also make and establish and put in execution such by-laws, ordinances and regulations as shall, in their opinion, be necessary for the good government of said corporation, and the prudent and efficient management of its affairs. No by-laws, ordinances and regulations of the same shall be in any wise contrary to the constitution and laws of this State, or of the United States.

May have a seal, make by-laws, &c.

SEC. 3. The capital stock of said company shall be one hundred thousand dollars, to be divided into shares of fifty dollars each, to be paid in such instalments as the directors, chosen under this act, may from time to time direct, under such penalty as the president and directors may, in their discretion, appoint and order. The said capital stock may hereafter be increased to an amount not exceeding five hundred thousand dollars, in the discretion of a majority of the directors of said corporation, to be subscribed for and taken, under the direction and superintendency of the president and directors aforesaid, or a majority of the said directors, by any person whomsoever, in the same manner as is provided for the subscription of the original capital stock; the stock of said corporation shall be assignable and transferrable according to such rules as shall be adopted in that behalf by the by-laws and ordinances thereof.

Amount of capital stock may be increased

May be transferred

SEC. 4. The corporation hereby created, shall have power and authority to make marine insurance upon vessels, goods and merchandise, freight, monies, bottomry, respondentia, interest, and on all marine risks, and inland navigation and transportation, and against all losses by fire of any buildings or houses whatsoever; and vessels on the stocks, and also to receive monies on deposit, and to loan the same on bottomry and respondentia at such rates of interest as may now be allowed by the existing laws of this state; and they may also cause themselves to be re-insured against any maritime risk, upon which they have made insurance, and upon the interest which they may have in any vessels, goods, or merchandise, or houses, in virtue of any such loan, whether on bottomry and respondentia or otherwise, on such terms and conditions as may be agreed upon by the parties, and to fix the premium and terms of payment.

Corporation may make insurances &c.

SEC. 5. All policies of insurance by them made, shall be

Policies to be countersigned and sealed

subscribed by the president, or, in case of his absence, by the vice president, and countersigned and sealed by the secretary of said company, and all losses arising under any policy so subscribed and sealed, may be adjusted and settled by the president and board of directors.

SEC. 6. The said corporation shall not take any risk nor subscribe any policy by virtue of this act until one-fourth part of the capital stock thereof shall have been actually paid in.

Capital stock may be vested in any public funds of United States, &c.

SEC. 7. The said company shall not directly or indirectly, deal or trade in buying or selling any goods, wares or merchandise whatever, but the president and directors may at their option, vest the capital stock of said corporation in the capital stock of any incorporated bank, trust company, or public funds of the United States, or any State in the Union. They shall have power also to loan to any citizen of this state any portion of the capital stock not exceeding ten thousand dollars to one individual on bottomry bond, mortgage of real estate, or other satisfactory surety at their discretion, upon the same terms as is provided for in section four.

Corporation may purchase and make sale of real and personal property, &c.

SEC. 8. The said corporation may purchase and hold such real estate as may be deemed necessary for the transaction of its business, and to an amount at any one time not exceeding twenty thousand dollars; and to take and hold any real estate as securities mortgaged or pledged to the said corporation to secure the payment of any debt due, or that may become due to it, and also to purchase on sales made by virtue of any judgment at law, or any decree of a court of equity in favor of the corporation, to take and receive any real estate in payment or towards satisfaction of any debt previously contracted or due to the said corporation and to hold the same; but all real estate purchased under judgment or decrees, or taken in payment of debts as aforesaid, shall be sold by the corporation within three years from the date of purchase, otherwise such real estate remaining unsold at the expiration of said time, shall be forfeited to the state of Illinois.

Commissioners to superintend subscription to capital stock

SEC. 9. That B. H. Campbell, Benjamin Church, B. C. Lepper, L. Morehouse, and James Temple are hereby appointed commissioners for superintending subscription to said capital stock; and the said commissioners, or a majority of them, shall open one or more subscription books for said stock in the town of Galena, on the first Monday of April, 1837, and at least ten days previous to which, said commissioners shall give public notice in all the newspapers published in said town, stating particularly the time and place of opening said books, together with the amount of the first instalment that will be exacted, and shall con-

Public notice to be given of time and place

tinue to keep said books open from day to day for five successive days, unless the stock shall be sooner subscribed for, and the sum of twelve dollars and fifty cents on each share subscribed for shall be paid to the said commissioners at the time of making the subscription. The books may be closed whenever the whole of said stock shall be subscribed; and whenever a board of directors shall be duly elected, the said commissioners shall deliver over to the said board of directors said books, and shall pay over to said board the whole amount of money by them respectively or jointly received, *Provided, however*, that if the books for the subscription of stock shall not be opened at the time herein required, the said commissioners may open books at any time thereafter, upon giving twenty days notice in all the newspapers printed in Galena, of the time and place of opening the same.

SEC. 10. In case of death, resignation or absence of any of the commissioners named in this act of incorporation, it shall and may be lawful for any three of them to form a quorum and proceed to business, whose duties shall be the same in the premises as those prescribed to the whole of said commissioners by this act of incorporation named, and their acts as such shall be legal.

SEC. 11. The stock, property, and concerns of said incorporation shall be managed and conducted by seven directors, who shall hold their offices for one year and until others shall be chosen in their stead and no longer; and shall at the time of their election be citizens of this State, and holders respectively of not less than ten shares of the capital stock of said company.

SEC. 12. The first election of directors under this act shall be held at such time and place in the town of Galena, as shall be directed by the said commissioners, or a majority of them, who, or a majority thereof, are hereby appointed inspectors of said election, and the persons thus elected as directors shall hold their offices until the first Monday in April, 1838, and until others are elected in their stead.

SEC. 13. The directors for every subsequent year shall be elected on the first Monday in April in each year, at such time, and at such place within the town of Galena, and under the direction of such persons as a majority of the directors for the time being shall appoint, by a resolution to be entered on their minutes.

SEC. 14. All elections shall be by ballot, allowing one vote to each share of the capital stock, and the seven persons who shall have the greatest number of votes shall be directors, and if at any election two or more persons shall have an equal number of votes, so as to leave their election undecided, then the directors who have been duly

Proviso

Three may form a quorum

Directors to manage affairs of company

Time and place of holding election

When election to be held

Who are to be directors

elected, shall proceed to ballot, and by a plurality determine which of said persons shall be director or directors, so as to complete the whole number, and whenever any vacancy shall happen for the office of president or vice president, or directors, from death or otherwise such vacancy shall be filled for the remainder of the year in which it shall happen, by the directors for the time being, or a majority of them. The said commissioners shall certify under their hands and seals the persons elected, and deliver such certificate to the persons elected or to some one of them, and if, through any unavoidable accident, said directors shall not be chosen on the first Monday as aforesaid, it shall be lawful to choose them on any other day, in the manner herein provided.

Directed to fill vacancies

SEC. 15. The directors, when chosen, shall meet as soon as may be after every election, and shall choose out of their number a president, who shall be sworn or affirmed faithfully to discharge the duties of his office, and shall preside for one year, and until another person shall be chosen in his stead, and also a vice president for the same term: they shall have power to appoint a secretary and all subordinate officers of said corporation, fix their compensation, define their powers and prescribe their duties, who shall give such bonds in such penal sums, with such conditions, and with such securities as the directors shall prescribe, and hold their offices during the pleasure of a majority of said directors.

To elect a president and appoint officers of company, &c.

Who to form a board

SEC. 16. The president and vice president and two of the directors, and in the absence of either of the presidents, three directors shall constitute a board competent to the transaction of business, and all questions shall be decided by a majority of votes.

Amount of capital stock to be published

SEC. 17. The president and directors of said company shall, previous to subscribing any policy, and once in every year after, publish in two of the newspapers printed in this state, the amount of their capital stock, against what risks they mean to insure, and the largest sum they mean to take on any risk.

SEC. 18. The legislature of this state shall never pass any law retarding or obstructing or in any way suspending the collection of any debt or debts due said corporation.

Expenses to be paid out of capital stock

SEC. 19. The expenses incurred by the commissioners in executing any duties required by this act, shall be paid out of the moneys received by them from the subscribers out of the capital stock.

Directors to make dividends according to by-laws, &c.

SEC. 20. It shall be the duty of the directors of said company, at such time as the by-laws thereof shall prescribe, to make dividends of so much of their interest arising from the capital stock and the profits of said company

as to them shall appear advisable, but the money received, and notes taken for premiums or risks which shall be undetermined and outstanding at the time of making such dividends shall not be considered as part of the profits of said company, and in case of any loss or losses whereby the capital stock of said company shall be lessened before all the instalments are paid in, each proprietor or stockholder's estate shall be held accountable for the instalments that may remain unpaid, on his share or shares at the time of such loss or losses taking place; and no subsequent dividend shall be made until the sum arising from the profits of the business, equal to such diminution, shall have been added to the capital stock, and once in every three years, and oftener if so required by a majority of the stockholders, the directors shall lay before the stockholders, at a general meeting, an exact and particular statement of all its transactions and affairs.

No subsequent
dividend made

SEC. 21. This act is hereby declared to be a public act, and shall take effect from and after its passage, and shall be liberally construed for every purpose herein contained and the charter to be void and of no effect unless the stock shall be subscribed, and the company shall commence operations within two years after the passage of this act, and nothing in this act contained shall confer on said corporation banking powers, or authority to issue notes in the similitude of bank notes in lieu of money.

Act declared a
public act

SEC. 22. The legislature reserves the right to alter, amend, or repeal this charter on the application of a majority of the legal voters of Jo Daviess county.

Right reserved

APPROVED 18th February, 1837.

AN ACT to construct a Rail-road from Naples to Jacksonville.

In force, 16th
Feb. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That John Manchester, Horatio N. Manning, Miran Leslie, Bezaleel Gillett, and Charles Collins, and their associates, successors, and assigns are hereby created a body corporate and politic, under the name and style of the Jacksonville and Naples Rail-road company, for the term of fifty years, and by that name may be and hereby are made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in any court or courts of record, or in any other place; to make, have, and use a common seal, and the same to renew and alter at pleasure; and shall be

Jacksonville &
Naples railroad
Incorporated

and are hereby vested with all the powers, privileges, and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth, and the said company are hereby authorized and empowered to locate, construct, and finally complete a rail-road from the town of Naples up Wolf run (so called,) to the town of Jacksonville in Morgan county, upon the most eligible and proper route, and for this purpose said company are authorized to lay out their said road wide enough for a single or double track through the whole length, and for the purpose of cutting embankments, stone and gravel may take as much more land as may be necessary for the proper construction of and security of said rail-road: *Provided*, All damages that may be occasioned to any person or corporation by taking of such lands or materials for the purposes aforesaid, shall be paid for by the company in the manner hereinafter provided.

Capital stock

SEC. 2. The capital stock of said company shall consist of two hundred thousand dollars to be divided into shares of one hundred dollars each; the immediate government and discretion of said company shall be vested in five directors who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their offices for one year after their election, and until others shall be duly elected and qualified to take their places as directors; and the said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their own number to be president of the board, who shall also be the president of the company.

Authorized to make surveys

SEC. 3. The said corporation is hereby authorized, by their agents, surveyors, and engineers, to cause such examinations and surveys to be made of the ground and country between the said town of Naples and the said town of Jacksonville as shall be necessary to determine the most advantageous route for the proper line or course whereon to construct their said rail-road, and it shall be lawful for the said corporation to enter upon and take possession of and use all such lands and real estate as may be necessary for the construction and maintenance of their said rail-road, and the accommodations requisite and appertaining to the same, and may also hold all such lands as they may purchase or receive in any manner for the necessary purposes of said road: *Provided*, That all lands or real estate entered upon and taken possession of and used by said corporation for the purposes and accommodations of the said rail-road, or upon which the site for the said rail-road shall have been located or determined by the said corporation, shall be paid for by the said corpora-

tion in damages, if any be sustained by the owner or owners thereof, by the use of the same for the purposes of said rail-road, which damages shall be ascertained in the same manner that damages are now ascertained in the case of public roads running through the lands of individuals, some one of the directors acting in the stead of the supervisor in the general road law.

SEC. 4. If any person shall wilfully, maliciously, or wantonly, and contrary to law, obstruct the passage of any car on said rail-road, or any part thereof, or any thing belonging thereto, or shall damage, break, or destroy any part of the said rail-road, or implements, or buildings, he, she, or they, or any persons assisting, shall forfeit and pay to said company for every such offence treble the amount of damages that shall be proved before any court competent to try the same, to be sued for in the name and behalf of said company; and such offender or offenders shall be deemed guilty of a misdemeanor, and shall be liable to an indictment in the same manner as other indictments are found in any county or counties, where such offence shall have been committed; and upon conviction, every such offender shall be liable to a fine not exceeding five thousand dollars for the use of such county where such indictment may be found.

SEC. 5. The time of holding the annual meetings of said company for the election of directors shall be fixed and determined by the by-laws of said company, and at all meetings each stockholder shall be entitled to vote in person or by lawful proxy one vote for each share he, she, or they may hold *bona fide* in said stock.

SEC. 6. Bezalcel Gillett, John Manchester, Charles Collins, Miran Leslie, are hereby appointed commissioners to open subscription books for the stock of said company; and said commissioners, or a majority of them, are hereby authorized to open subscription books for said stock, at such places as they may deem proper, and shall give at least thirty days notice of the time and place when and where such books will be opened in some newspaper printed in the town of Jacksonville, and shall keep said books open at least five days, unless the whole amount of capital stock shall be subscribed sooner than said five days, and they shall require each subscriber to pay ten dollars on each share subscribed at the time of subscribing, and at the expiration of said five days, or sooner if said capital stock shall be subscribed, the said commissioners shall cause a meeting of the stockholders by giving ten days notice in some newspaper printed in the said county of Morgan, and at such meeting it shall be lawful to elect the directors of said company, and when the directors

of said company are chosen, the said commissioners shall deliver said subscription books, together with all sums of money received by them, as such commissioners, to said directors: *Provided*, That no person shall be a director unless he shall own at least five shares of the capital stock. Said corporation is hereby authorized to borrow any sum of money not exceeding their capital stock, and to make all such contracts as said corporation may deem necessary to carry into effect the powers and privileges hereby granted: *Provided*, That they shall not issue any drafts or checks, or other instruments to be used as a circulating medium.

Declared a
public work

SEC. 7. This rail-road is hereby declared to be a public work, and the State of Illinois may transport, carry, and convey, free from tolls, all persons or property that the State may at any time wish to transport and convey upon the same.

Land procured
for the right of
way, may be
held

SEC. 8. That the rights of way, and the real estate purchased for the right of way by said company, whether by mutual agreement between the said corporation and the owners or owner of such land or real estate, or which shall become the property of said corporation by operation of law as in this act is provided, shall upon the payment of the amount of money belonging to the owner or owners of such lands as a compensation for the same, become the property of said corporation, absolutely, and in fee simple.

Authorized to
join other rail-
roads

SEC. 9. The said corporation is hereby authorized to join any other rail-road now or hereafter to be incorporated and put in operation, at such place and upon such terms as may be mutually agreed upon by the said companies, or in case of disagreement by the said companies, upon such terms and at such places as the court of chancery of the district where such connection is desired, shall decree upon bill filed, or suit instituted for that purpose.

Right reserved
by the State

SEC. 10. The legislature reserves to itself the right to purchase the stock of said corporation at any time, by paying to said company the value of said rail-road, fixtures, cars, and other apparatus necessary for carrying on the business of said corporation; and for the purpose of ascertaining the value thereof, the legislature may appoint two or more commissioners, who shall proceed to ascertain by inspection and the oath of witnesses the actual value of the said road, fixtures, apparatus, and cars as aforesaid. The said corporation may take and transport upon the said rail-road any person or persons, merchandize or other property by the force and power of steam, or animals, or any combination of them, and may fix, establish, take, and receive such rates of

toll for all passengers and property transported upon the same as the said directors shall from time to time establish, and the directors are hereby authorized and empowered to make all necessary rules, by-laws, regulations, and ordinances, that they may deem necessary and expedient to accomplish the designs and purposes, and to carry into effect the provisions of this act, and for the transfer and assignment of its stock which is hereby declared personal property, and transferrable in such manner as shall be provided by the by-laws and ordinances of said corporation.

SEC. 11. If the said corporation shall not commence the work within one year from the passage of this act, and complete the same within five years, then this act shall thenceforth cease and be void: *Provided, however,* That that portion of a rail-road now completed, beginning at said Naples on the route aforesaid, shall be taken and deemed to be a commencement of the work within the meaning of this act.

When work is to be commenced and finished
Proviso

SEC. 12. The said corporation are hereby authorized to make a lateral rail-road from the main stem to the town of Exeter in said Morgan county, and shall have the same power in relation to the said lateral rail-road as is hereby given to said company for the construction of the main road.

May make a lateral railroad

SEC. 13. The legislature reserves the power to alter, amend, or repeal this act whenever the public good shall require it; and in case of such repeal the said company shall exist for the period of two years for the purpose of winding up and closing its business, but not for the purpose of continuing the same, nor for any other purpose.

May be repealed

APPROVED 18th February, 1837.

AN ACT to incorporate the Pekin Hotel Company.

In force 18th, Feb. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Spencer Field, John W. Casey, Harlan Hatch, David Baily, David Mark, Enos Coldren, and Gideon Rupert, and their associates and successors, be and they are hereby constituted a body politic and corporate, under the name of the "Pekin Hotel Company," to be located in the original town of Pekin, in the county of Tazewell; and by that name shall have power to contract and be contracted with, and may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts having competent ju-

Corporation created.
Their powers and privileges

isdiction; to have a common seal, which they may alter at their pleasure; and shall be vested with all the powers and privileges necessary to the object of their incorporation as hereinafter defined and limited.

SEC. 2. The said company shall have power and be capable of holding and purchasing in fee simple any estate, real or personal, for the use of said corporation; and of improving, selling, and conveying the same; of erecting and improving buildings on the same; and of renting, leasing, and occupying any or all such lands or houses, belonging to said corporation, for a term not exceeding the limits of this charter: *Provided*, That the real estate, owned by said corporation, shall not exceed one quarter section of land, except such as may be held as collateral security for debts due the said company, or may become the property thereof by virtue of such indebtedness.

SEC. 3. The capital stock of said company shall be fifteen thousand dollars, which may be increased at the pleasure of said company to any sum not exceeding thirty thousand dollars; which said capital stock shall be divided into shares of fifty dollars each, and subscribed for and held in the manner hereinafter provided.

SEC. 4. The concerns of said corporation shall be managed and conducted by a board of directors, to consist of five persons, who shall be stockholders in said company, and who shall be chosen by ballot annually by the stockholders and their lawful proxies: and the five persons receiving the greatest number of votes, shall receive the certificates of the inspectors declaring them duly elected. The directors, so chosen, or a majority of them, shall at all times constitute a board and be competent to the transaction of business, and shall and may from time to time make and prescribe such by-laws, rules and regulations relative to the concerns of said corporation, the duties of the president and secretary, their clerks, treasury agents, and other persons employed by them. The said board shall at their first meeting after their election, which meeting any two of the members of said board may call, elect a president and secretary, and treasurer, who shall continue in office for one year. The treasurer shall give bond in such manner and in such amount as the said directors shall prescribe. And the said directors shall have power to appoint such other officers, agents, and clerks as may be deemed by them necessary in carrying on the business of said corporation: *Provided*, That such by-laws and regulations shall not be repugnant to the constitution and laws of the United States, or of this State.

SEC. 5. That Spencer Field, Harlan Hatch, and David Marks shall be commissioners, the duties of whom shall be to open books of subscription to the capital stock of said corporation, within six months from and after the passage of this act, in such places and at such time as in their opinion will be thought proper. Twenty days notice shall be given by said commissioners of the time and place of receiving subscriptions, and of the number of days the books will be kept open in a newspaper in the places where they intend to open said books for subscription to the capital stock of said company. The commissioners shall receive no subscriptions unless at least two dollars on each share subscribed be paid at the time of subscription, and when the whole amount of the capital stock shall be subscribed, the said commissioners shall give a like notice of twenty days for the meeting of the stockholders for the purpose of choosing five directors, designating the time and place of holding such election; at which election persons holding stock in said company shall be permitted to vote either in person or by lawful proxy. The said commissioners shall be inspectors of the first election for directors, and shall certify under their hands the names of those duly elected, and deliver over the subscription books and the amount of money received on subscriptions to said directors so elected.

Commissioners
to open books
of subscription

Notice to be
given

Notice to be
given for a
meeting of
stockholders

SEC. 6. The stock of said corporation shall be considered personal property, and assignable, and transferrable on the books of the corporation, but no transfer or assignment of any share of any stockholder, who shall be at the time of making such transfer or assignment indebted to the corporation, shall be valid, until such debt be paid or secured to be paid, to the satisfaction of the directors.

Stock of cor-
poration con-
sidered person-
al property

SEC. 7. The said company shall at all times keep proper books of account, in which shall be registered all the transactions of the corporation, and the same shall at all times be subject to the inspection of the stockholders, and it shall be the duty of the directors to make annual dividends, or at such other times as a majority of the directors shall direct, of so much of the profits of the said company as to them, or a majority of them, shall appear advisable, and the said directors shall whenever required by a majority of the stockholders exhibit at a general meeting a full and perfect statement of the debts and credits, and all such other matters as may be deemed essential relative to the business of said corporation.

Company to
keep books of
accounts

SEC. 8. The stock, not disposed of by the commissioners in the manner hereinbefore mentioned, shall and

Stock not dis-
posed of may
be issued

may be issued by the directors for the time being, according to the by-laws and regulations of said company.

Company may organize **SEC. 9.** As soon as ten thousand dollars of the capital stock of said company shall be subscribed by responsible persons, and ten per cent. on said sum so to be subscribed actually paid to said company, or the commissioners above named, then and not before shall said company be authorized to organize themselves and proceed to business.

Act in force for 20 years **SEC. 10.** This act is hereby declared public and shall take effect from and after its passage, and be and remain in force for and during the term of twenty years.

Right reserved, **SEC. 11.** That nothing in this act shall be so construed as to exempt the said corporation from the operation of the laws of this state regulating inns and taverns. The Legislature hereby reserves the right to alter, change, amend, or repeal this act whenever the public good may require the same.

APPROVED 18th February, 1837.

In force, 18th Feb. 1837

AN ACT to incorporate the Stonington College of Illinois.

Trustees of Stonington College

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Richard J. Burrett, William L. May, William Thornton, Robert Allen, James Maxey, Hiram Rountree, Dan Stone, S. Francis, John Calhoun, John Taylor, George Forquer, Thomas Mather, and John Williams, be and they are hereby created a body corporate, to be styled and known by the name of the "Trustees of the Stonington College of Illinois," and by that name to remain and have perpetual succession with full power to acquire, hold, and transfer property, real and personal, make contracts, sue and be sued, plead and be impleaded, and in their corporate capacity to make, have, and use a common seal, and the same to break, alter, or destroy at pleasure.

May hold property,

SEC. 2. Said trustees shall not exceed the number of thirty-five; the president or principal of the college shall ex officio be a member of the board; no other instructor shall be a member.

SEC. 3. The powers hereby given said trustees shall not be used or construed to extend to the contracting for or acquiring any property, real, personal, or mixed, that shall not be necessary and proper for the purposes of an institution of learning of this kind, and the whole property of said corporation shall be faithfully applied

solely to that end, and all funds by them owned or which may hereafter be owned, shall, according to their best judgment, be applied in erecting college buildings, in supporting the necessary officers and agents of the institution, in procuring books, maps, charts, globes, chemical, philosophical, and other apparatus required to aid the promotion of sound learning. Said trustees shall prescribe and regulate the course of studies to be pursued in the college, and in the preparatory departments attached thereunto; also, to fix the rate of tuition, room rent, and other college expenses; to appoint such officers and agents as may in their judgment be required to conduct said college; to define their duties and powers, and to fix their compensation; to remove any or all of them, when the interests of the college may fully require it; to establish, when thought proper, a system of manual labor; to create rules for the regulation of the students, and by-laws for the general management of the college: *Provided*, Nothing therein contained shall be inconsistent with the constitution and laws of this State, or of the United States.

Erect buildings

And procure apparatus

Appoint officers and fix compensation, and establish manual labor system

SEC. 4. The trustees shall have power to establish departments for the study of any and all of the liberal professions, and to grant diplomas in the same; to constitute and confer the degrees of doctor in the learned arts, the sciences, and in belle lettres; and to confer such acedemical degrees as are usually conferred by learned institutions of the kind.

Grant diplomas, & confer degrees

SEC. 5. Said trustees shall have power to institute a board of competent persons, always including in the number the faculty of the college, who shall examine such individuals as may apply, and if the applicants are found to possess such knowledge of the studies pursued in said college as in the judgment of said board render them worthy, they may be considered honorary graduates, and shall be entitled to a diploma accordingly, on paying to the treasurer the sum required by the trustees. Said examining board may not exceed seven in number; three may transact business, provided one is of the college faculty.

Honorary Graduates

SEC. 6. Any donation, devise, or bequest, made for special purposes, accordant with the objects of the college, if the trustees shall accept the same, shall be faithfully and truly applied in conformity with the express condition or conditions of the donor or devisor. The lands, tenements, and hereditaments, to be held in perpetuity in virtue of this act by said corporation, shall not exceed two thousand acres: *Provided, however*, That grants, donations, or devises in land, which shall from time to time be made to said corporation, may be held for the term of seven years from the date of every such

College lands shall not exceed two thousand acres

grant, donation, or devise, at the end of which time the said lands, over and above the aforementioned two thousand acres; shall be sold by the corporation, and in case of neglect to sell, said lands so donated shall revert back to the original donor or devisor, or to the lawful heirs of the same.

Treasurer shall
give bond

SEC. 7. The treasurer of said college, and all other of its agents, when required by the trustees before entering upon the duties of their appointments, shall give bond for the security of the corporation in such penal sum and with such security as the board of trustees shall approve, and all process against said corporation shall be by summons, and service of the same shall be by leaving an attested copy with the treasurer of the college at least thirty days before the return day thereof.

Students may
be expelled

SEC. 8. Said college in its different departments shall be open to all denominations of christians, and the profession of any particular religious faith shall not be required of the students in order to admission, but those students whose habits are idle and vicious, or whose characters are immoral may be suspended or expelled at the discretion of the trustees.

Meeting may
be held on no-
tice

SEC. 9. Said college shall be located at or near Stoughton city in the county of Sangamon, State of Illinois. The trustees shall hold at least one meeting for business, annually; and the aforementioned trustees shall have power to call the first meeting, at which time shall be chosen a president of the board, a treasurer and secretary. Special meetings may at any time be held by the order of the president of the board, due notice being always given. Five shall constitute a quorum to do business: *Provided*, The president or principal of the college is one.

Charter may be
repealed

SEC. 10. Should the corporation at any time act contrary to the provisions of this charter, or fail to comply with the same, (upon complaint being made to the circuit court of Sangamon county,) a scire facias shall issue, and the circuit attorney shall prosecute in behalf of the people of this State, for a repeal of its charter.

This act to be in force from and after its passage.
APPROVED 18th February, 1837.

ORIGINAL
MEMORANDUM
INDEX DEPARTMENT

INCORPORATION LAWS.

57

AN ACT to incorporate the town of Upper Alton.

In force. 18th
February 1837

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Enoch Long, William Clark, Peter W. Randle, Isaac E. Warnick, George Haskell, George Smith and Benjamin Walker, be, and they are hereby constituted a body politic and corporate, to be known by the name of the President and Trustees of the town of Upper Alton, and by that name they and their successors shall be known in law, have perpetual succession, sue and be sued, implead and be impleaded, defend and be defended in courts of law and equity, and in all actions and matters whatsoever, may grant, purchase, receive and hold property, real and personal, within said town and no other, (burial ground excepted) and may lease, sell and dispose of the same for the benefit of the town, and may have power to lease any of the reserved lands which have been or may hereafter be appropriated to the use of said town, and may do all other acts as natural persons, may have a common seal and break and alter the same at pleasure.

Corporation created, their powers & privileges.

SEC. 2. That all that district of country contained in section No. seven, and the south half of section No. six, in township No. five north, and range No. 9 west of the third principal meridian, is hereby declared to be within the boundaries of the town of Upper Alton.

Boundary of town.

SEC. 3. That the corporate powers and duties of said town shall be vested in seven trustees after the term of the present incumbents has expired, to wit: on the first Monday in April, who shall form a board for the transaction of business.

Seven trustees to form a board.

SEC. 4. The members composing the board of Trustees shall be elected annually on the first Monday in April, to serve for one year. They shall be at least twenty-one years of age, citizens of the United States, and shall possess a free-hold estate within the limits of the corporation. Those persons only shall be qualified to vote for trustees or in such town meetings as may be held in conformity with the further provisions of this act, who possess the requisite qualifications to vote for state officers, and have resided within the limits of the corporation six months previous to such elections or town meetings.

Trustees elected annually.

Who qualified to vote.

SEC. 5. That the board of Trustees shall appoint their president from their own body; shall appoint all other officers of their board, and shall be the judges of the qualifications, elections and returns of their own members, and shall have power to fill all vacancies in the board occasioned by resignation, death, or six months absence of any member thereof. A majority shall constitute a board

Trustees to appoint officers & fill vacancies.

to do business, but a smaller number may adjourn from day to day; may compel the attendance of absent members in such manner and under such penalties as the board may provide. They may determine the rule of proceedings, and make such other rules and regulations for their own government as to them may seem proper and expedient.

SEC. 6. That the board of trustees shall have power to levy and collect taxes upon all real estate within the town not exceeding one per cent upon the assessed value thereof, except as may be hereinafter excepted, to make regulations to secure the general health of the inhabitants, to prevent and remove nuisances, to restrain cattle, horses, sheep, swine and dogs from running at large, to establish night watches, erect lamps in the streets and lighting the same, to erect and keep in repair bridges, to provide licensing, taxing and regulating merchants, to regulate auctions, taverns, groceries and pedlars, theatrical and other shows, billiard tables and other amusements, to restrain and prohibit gaming houses, bawdy houses and other disorderly houses, to prevent the shooting of fire arms within the limits of the corporation, to provide for the erecting of a house of correction, to establish and regulate markets, to open and keep in repair streets and avenues, lanes, alleys, drains and sewers, to keep the same clean and free from incumbrances; to establish and regulate a fire department, to provide for the prevention and extinguishment of fires, to regulate the storage of gunpowder and other combustible materials, to erect pumps and wells in the streets for the convenience of the inhabitants, to regulate the police of the town, to regulate the election of town officers, to fix the compensation, to establish and enforce quarantine laws and from time to time to pass such ordinances, to carry into effect the ordinances of this act and the powers hereby granted as the good of the inhabitants may require; and impose and appropriate fines and forfeitures for the breach of any ordinance, and to provide for the collection thereof; and that in cases arising under his act, or growing out of the by-laws and ordinances made in pursuance of this act of incorporation, any Justice of the Peace within said corporation shall have jurisdiction to hear and determine the same, and an appeal may be taken and writs of certiorari allowed from any such decisions in the same manner as now is or hereafter may be provided by law for appealing from judgements of Justices of the Peace.

Trustees to levy and collect tax, to make regulations for town, &c.

To regulate election and fix compensation for officers

Impose and appropriate fines for breach of ordinances

Justices of the peace have jurisdiction to hear and determine

Trustees have power to levy and collect tax

SEC. 7. That the board of trustees shall have power to levy a tax for the erection of school houses and the support

of common schools within said corporation, and to raise money by loan on the credit of the town, for commencing and prosecuting works of public improvements, *Provided*, Proviso. However, that the same shall be submitted to the vote of the citizens of the town and approved by a majority thereof.

SEC. 8. That upon the application of the owners of two-thirds of real estate on any street or parts of a street, it shall be lawful for the board of trustees to levy and collect a special tax on the owners of the lots on the said street or parts of a street, according to their respective fronts, for the purpose of grading and paving the side walks on said street. May levy and collect a special tax.

SEC. 9. That the board of trustees shall have power to regulate, grade, pave and improve the streets, avenues, lanes and alleys, within the limits of said town, and to extend, open and widen the same, and to set aside and appropriate sufficient ground for a square, for a market and other public purposes, making the person or persons impaired thereby adequate compensation, to ascertain which, the board shall cause to be summoned twelve good and lawful men, freeholders and inhabitants of said town, not directly interested, who being first duly sworn for that purpose, shall inquire into and take into consideration as well the benefits as the injury which may accrue, and estimate and assess the damages which would be sustained by reason of the opening, widening, or extension of any street, avenue, lane or alley, or setting aside and appropriating ground for a market square and other public purposes, and shall moreover estimate the amount which other persons will be benefitted thereby, and shall contribute towards compensating the persons injured; all of which shall be returned to the board of trustees under their hands and seals, and the person or persons who shall be benefitted and so assessed, shall pay the same in such manner as shall be provided, and the residue, if any, shall be paid out of the town treasury. May have power to make improvements in town, &c. Freeholders to enquire of damages. Damages assessed to be paid.

SEC. 10. That the trustees shall have power to survey and plat all the grounds within the incorporation, and record the same; which, when thus surveyed, platted and recorded, shall be a governing plat for town uses and purposes, *Provided*, However, that this shall not be so construed as to give the trustees power so to vary from any established plat as to thereby affect the rights of private individuals, or lay off the present unplatted ground otherwise than as out lots. To survey and plat the ground in corporation. Proviso.

SEC. 11. That whenever the owners of any lot or piece of ground included within the incorporation, shall neglect or refuse to pay the tax or taxes levied on the same, when Persons refusing to pay tax:

land advertised
and sold.

they may become due, it shall be the duty of the trustees to advertise the same for non-payment, either in a newspaper printed in said town, or by posting in three of the most public places in said town, for the space of sixty days; and on further failure of payment thereof, to sell at public sale, so much of said lot or pice of ground as will be sufficient to pay said taxes and defray the expenses of collection.

Ordinances to
be published.

SEC. 12. All ordinances shall, within ten days after they are passed, be published in a newspaper printed in said town and posted in three of the most public places thereof.

Real estate
subject to re-
demption.

SEC. 13. That when any real estate in said town shall have been sold by the authority of the corporation thereof, for the non-payment of any tax that may have been levied upon the same, the same shall be subject to redemption by the owner or owners thereof, his, her or their agent or agents, within one year after the same shall have been sold, upon paying to the treasurer of the board of trustees of said town double the amount of taxes for which the same was sold, together with the cost for the selling of the same. But should the said lots or parts of lots so sold for the non-payment of the taxes aforesaid, not be redeemed within the time specified, then, in that event, it shall be the duty of the president of the board of trustees of the said town to execute a deed with a special warrantee, signed by the president of said board, and sealed with the corporation seal.

President of
board to exe-
cute deeds.

Officers of town

SEC. 14. The officers of said town, in addition to the trustees, shall consist of one clerk, one street commissioner, one treasurer, three assessors, one town constable and collector, one town surveyor, two measurers of wood and coal, one measurer of timber, one measurer and weigher of grain, and such other officers as the trustees of said town may deem necessary for the good of said town.

President and
trustees to form
engine compa-
nies.

SEC. 15. That the president and trustees of said town shall, whenever they may deem necessary, order the formation of fire engine companies, and fire hook and ladder companies. The fire engine companies each to contain from twenty-five to forty able bodied men, between the ages of eighteen and fifty years, and no more; the fire hook and ladder companies to contain each from fifteen to twenty-five able bodied men, and no more; which companies shall be officered and governed by their own by-laws; shall be formed by voluntary enlistment; every member of each company shall be exempted from jury and military duty, and whenever a member of each company shall have served twelve years he shall receive a discharge from the incorporation, signed by the president, and shall forever thereafter be exempt from further jury duty and from further military duty, except in case of invasion.

SEC. 16. That all lots of land or parcels of ground in said town, or which have been conveyed by the original proprietors thereof, or other persons, to the inhabitants of said town, in their aggregate capacity, or to any person or persons in trust for them, or for their use and benefit, and all funds raised or to be raised by the sale of donation lots or otherwise, whether for the erection of schoolhouses, academies or places of public worship, are hereby declared to belong to and to be vested in said corporation, and shall be under the management and direction of the trustees aforesaid and their successors, and applied in furtherance of the objects intended by the proprietors or donors thereof; and the said trustees shall have power to institute suits for the recovery of every or any such lots or parcels of ground, should it be necessary; and to perfect in them and their successors the title thereof, or to make such other adjustment relative thereto as to them shall seem expedient and proper.

Land donated to be vested in corporation.

Trustees may institute suit.

SEC. 17. That it shall be the duty of the board of trustees, in such manner as they may hereafter provide, to give notice of all town meetings to be held, whether for the election of trustees or any other purpose arising under the provisions of this act, by posting the same in three of the most public places in said town, and stating therein the object of such meeting, *Provided*, However, that not less than three days notice of any such meeting shall in any case be given, except in cases of emergency.

Trustees to give notice of meetings.

Proviso.

SEC. 18. That the members of the board of trustees and every officer of said corporation, shall, before entering on the duties of his office, take an oath or affirmation, before some judge or justice of the peace, to support the constitution of the United States and of this State, and faithfully to discharge the duties of their several offices.

Officers to take oath.

SEC. 19. That the trustees may have power to divide said town into such number of wards as to them [shall] seem expedient and proper, *Provided*, However, that no stock belonging to citizens without the bounds of said town shall be hurt by the authority of said corporation.

May divide town into wards.

Proviso

APPROVED 18th February, 1837.

AN ACT to incorporate the Princeton Seminary.

In force 21st Feb., 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Lucien Farnam, Alby Smith, Nathaniel Chamberlain, Austin Bryant,*

- John M. Gay, Butler Dunham, and Jeremiah Porter, and their successors be, and they are hereby created a body politic and corporate, to be styled and known by the name of the trustees of the Princeton Seminary, and by that name and style to remain and have perpetual succession with full power to make contracts, to accept, acquire, hold, and transfer property, real, personal, and mixed, to sue and be sued, plead and be impleaded in their corporate capacity, to make, have, and use a common seal, and alter and change the same at pleasure, and said trustees shall never exceed the number of fifteen: for the present, the above named individuals shall constitute the board of Trustees, who shall fill the remaining vacancies at their discretion.
- Created a body politic and corporate.**
- Their powers.**
- Number of trustees.**
- Objects of corporation.** **SEC. 2.** The object of said corporation shall be to promote the general interests of education, and to qualify young persons of both sexes for the several employments and profession of society, and for the honorable and useful discharge of the various duties of life.
- Where located.** **SEC. 3.** The Princeton Seminary shall be located at or near Princeton in Putnam county, and within the bounds of township sixteen north, and range nine east, of the fourth principal meridian, and all moneys, funds, and estate hereby vested in the trustees thereof, or which may be hereafter acquired by them in their corporate capacity, shall be held, used, and employed solely for the benefit of said institution.
- Trustees power.** **SEC. 4.** The trustees shall have full power from time to time to prescribe and regulate the course of study to be pursued in said seminary, to fix the rate of tuition and other seminary expenses, to appoint a president, professors, instructors, and such other officers and agents as they may deem necessary and proper in managing the concerns of the institution, to define their duties, powers and employments, to fix their compensation, to displace and remove either or all of the instructors, officers, or agents as said trustees may think the interests of the seminary may require to fill all vacancies among the instructors, professors, officers, and agents, to erect necessary buildings, to purchase books, maps, charts, globes, chemical and philosophical apparatus and other suitable means of instruction, to put in operation should they deem it proper, a system of manual labor under such regulations as they may think best to adopt for the purpose of diminishing the expense of education, and of promoting the health of the students, to make such rules and by-laws for the general management and regulation of the institution as they may judge expedient, and the same to annul, alter, or amend at pleasure, *Provided*, said rules and by-laws be not repugnant to the constitu-
- Aud agents.**

tion and laws of the United States or of this State, to confer on such persons as may be considered worthy such academical or honorary degrees as are usually conferred by similar institutions, and the said trustees shall have full power to do and perform any lawful matter or thing which they may deem conducive to the good of the institution, and consistent with the state of the funds thereof.

SEC. 5. If any trustee shall be chosen president of said seminary, his former place as trustee shall be considered as vacant, and his place filled by the remaining trustees, the trustees for the time being shall have power to remove any trustee from his office as trustee, for any dishonorable or criminal conduct, *Provided*, That no such removal shall take place on account of religious opinions, nor without giving to such trustee notice of the charges exhibited against him, and an opportunity to defend himself before the board, nor unless that two-thirds of the whole number of trustees for the time being, shall concur in such removal. The trustees for the time being in order to have perpetual succession, shall have power as often as a trustee shall be removed from office, die resign, or remove out of the state, to appoint a resident of this State to fill the vacancy in the board. A majority of the trustees shall constitute a board competent to transact all business, except the permanent appointment or removal of officers, in which a concurrence of two-thirds of the whole board shall be necessary. The trustees shall have at least one stated meeting in every year, and should any trustee hereby appointed, or hereafter to be chosen, refuse to serve or fail to attend the meeting of the board for the term of one year after notification of his appointment, the seat of such trustee or such trustees shall be declared by the board to be vacant, and they may proceed to fill the vacancy.

SEC. 6. The trustees shall faithfully apply all funds collected or hereafter to be collected for said seminary, according to their best judgment, in erecting suitable buildings, in compensating the necessary instructors, professors, officers, and agents, in procuring books, maps, charts, globes, philosophical, chemical, and other apparatus necessary to aid in the promotion of sound learning in said institution, *provided*, That in case any donation, devise, or bequest, shall be made for particular purposes, accordant with the objects of the institution, and the trustees shall accept the same, every such donation, devise, or bequest, shall be expressly applied in conformity with the condition of the donator or devisor.

SEC. 7. The treasurer of said seminary always, and all other agents when required by the trustees, before entering upon the duties of their respective offices, shall give

Trustee chosen president his place to be filled.

Trustee may be removed.

His place how filled.

How funds to be applied.

Treasurer and other agents to give bond.

Form of process against corporation.

bond for the security of the corporation, in such penal sums and with such sureties as the board of trustees shall approve, and all process against the corporation, shall be by summons, and the service shall be by leaving an attested copy thereof with the treasurer, or at his office or place of abode at least thirty days before the return day thereof.

How to be conducted.

SEC. 8. The said seminary in all its departments, shall at all times be conducted on liberal and enlightened principles, and be equally open to all denomination of christians, and the profession of any particular religious faith, shall not be required of those who become students; any student however, may be suspended or expelled from said institution, whose habits are idle, vicious, or contumacious, or whose moral character is bad.

Amount of lands to be held

SEC. 9. The lands, tenements, and hereditaments, to be held in perpetuity, in virtue of this act, by said corporation, shall not exceed one thousand acres, *provided however,* That if donations, grants, or devices in land, shall from time to time be made to said corporation, over and above said one thousand acres, which may be held in perpetuity as aforesaid, the same may be held and received by the said corporation, for the period of five years from the date of every such donation, grant, or device; at the end of which time, if the said lands over and above the said one thousand acres, shall not have been sold by said corporation, then and in that case, the lands so donated, granted, or devised, shall revert to the donor, grantor, or the heirs of the divisor of the same.

APPROVED Feb. 21st, 1837.

In force Feb. 21, 1837.

AN ACT to extend the corporate powers of the town of Peoria.

Incorporation.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That J. D. Shewalter, George B. Parker, Henry W. Cleveland, and Thomas Phillips, be and they are hereby constituted a body politic and corporate, to be known by the name of the "Trustees of the town of Peoria," and by that name they and their successors shall be known in law, have perpetual succession, sue and be sued, plead and be impleaded, defend and be defended in courts of law and equity, and in all actions and matters whatsoever; may grant, purchase, receive and hold property, real and personal, within said town and no other, (burial grounds ex-

May hold property, sell and

cepted) and may lease, sell and dispose of the same for the benefit of the town, and shall have power to lease any of the reserved lands, which have been or may hereafter be appropriated to the use of said town, and may do all other acts as natural persons; may have a common seal, and break and alter the same at pleasure.

dispose of the same.

May have a seal.

SEC. 2. All that district of country contained in fractional section nine, fractional section ten, the south half of section four, and fractional section three, and to the middle of the Illinois river, and lake Peoria, are hereby declared to be within the boundaries of the town of Peoria.

Boundary of town.

SEC. 3. The corporate powers and duties of said town shall be vested in nine trustees, (after the term of the present incumbents shall have expired, to wit: on the eighteenth day of July next, and to be chosen and appointed as is hereinafter directed,) who shall form a board for the transaction of business.

Powers and duties of corporation.

SEC. 4. The members composing the board of trustees shall be elected annually on the last Monday of July, by the persons residing within said town, (qualified to vote for representatives to the Legislature,) to serve for one year; they shall be at least twenty one years of age, citizens of the United States, and inhabitants of said town, and shall possess a freehold estate within the limits thereof.

Trustees how and when elected.

SEC. 5. The board of trustees shall appoint their president from their own body, shall appoint all other officers of their board, and shall be the judges of the qualifications, elections, and returns of their own members; a majority shall constitute a board to do business, but a smaller number may adjourn from day to day, may compel the attendance of absent members in such manner and under such penalties as the board may provide; they may determine the rule of proceeding, and make such other rules and regulations for their government as to them may seem proper and expedient.

Trustees to appoint officers, judges of election, &c.

SEC. 6. The board of trustees shall have power to levy and collect taxes upon all real estate within the town, not exceeding the one half of one per centum, upon the assessed value thereof, except as hereinafter excepted; to make regulations to secure the general health of the inhabitants; to prevent and remove nuisances; to establish night watches, erect lamps in the streets and light the same; to regulate and license ferries within the corporation; to lease the wharfing privileges of said town, giving to the owner or owners, occupant or occupants of the lots fronting the river, the preference of such privilege; to provide for licensing and taxing stores, taverns, groceries, auctioners,

May levy and collect taxes.

Regulate and licence ferries, &c.

and taxing and regulating theatrical and other shows, billiard tables, and other amusements, within said corporation; to restrain and prohibit gaming houses, bawdy houses, and other disorderly houses; to build market houses, establish and regulate markets; to open and keep in repair streets, avenues, lanes, alleys, drains, and sewers, to keep the same clear and free from incumbrances; to establish and regulate a fire department, and to provide for the prevention and extinguishment of fires; to regulate the storage of gunpowder and other combustible materials, to erect pumps and wells in the streets for the convenience of the inhabitants; to regulate the police of the town; to regulate the election of the town officers; to fix their compensation, and from time to time to pass such ordinances to carry into effect the provisions of this act, and the powers hereby granted, as the good of the inhabitants may require, and to impose and appropriate fines and forfeitures, for the breach of any ordinance, and to provide for the collection thereof; *provided*, that the said trustees shall in no case levy a tax upon lots owned by the county, nor upon any land until the same shall have been laid off into town lots.

Prohibit gaming houses, &c.

Regulate elections of town officers and fix their compensation.

Proviso.

May levy and collect a special tax.

May make improvements, &c.

May cause damages estimated and paid.

SEC. 7. Upon the application of the owners of two-thirds of the real estate on any street or parts of a street, it shall be lawful for the board of trustees to levy and collect a special tax on the owners of the lots on the said street or parts of a street, according to their respective fronts for the purpose of grading and paving the side walks on said street.

SEC. 8. The board of trustees shall have power to regulate, grade, pave, and improve the streets, avenues, lanes, and alleys, within the limits of said town, and to extend, open and widen the same, making the person or persons injured thereby adequate compensation, to ascertain which, the board shall cause to be summoned twelve good and lawful men, freeholders and inhabitants of said town, not directly interested, who being first sworn for that purpose, shall enquire into and take into consideration, as well the benefits as the injury which may accrue, and estimate and assess the damages which would be sustained by reason of the opening, extension, or widening of any street, avenue, lane, or alley, and shall moreover estimate the amount which other persons will be benefitted thereby, and shall contribute towards compensating the persons injured, all of which shall be returned to the board of trustees, under their hands and seals, and the person or persons who shall be benefitted, and so assessed, shall pay the same in such manner as shall be provided, and the residue, if any, shall be paid out of the town treasury.

SEC. 9. All ordinances shall within ten days after they are passed, be published in a newspaper printed in said town, and posted in three of the most public places thereof.

Ordinances to be published.

SEC. 10. When any real estate in said town, shall have been sold by the authority of the corporation thereof for the non-payment of any tax that may have been levied upon the same, the same shall be subject to redemption by the owner or owners thereof, his, her or their agent or agents within one year after the same shall have been sold, on paying to the treasurer of the board of trustees of said town double the amount of the taxes for which the same was sold, together with costs for selling the same; but should the said lots or parts of lots so sold for the non payment of the taxes aforesaid, not be redeemed within the time specified, then and in that event it shall be the duty of the president of the board of trustees of the said town, to execute a deed with a special warranty, signed by the president of said board, and countersigned by the clerk thereof.

Real estate may be redeemed.

President of board to execute deeds.

SEC. 11. It shall be the duty of the board of trustees to cause to be paid to the purchasers of lots all moneys which may have been paid to the treasurer, over the cost of selling the same.

Trustees to pay over money.

SEC. 12. The officers of said town, (in addition to the trustees) shall consist of one clerk, one street commissioner, one treasurer, one assessor and collector of taxes, one town surveyor, one or more measurers of wood and coal, one or more measurers of lumber, one or more measurers and weighers of grain, and such other officers as the trustees of said town may deem necessary for the good of said town.

Officers of the town.

SEC. 13. The president and trustees of said town shall, whenever they may deem it necessary, order the formation of fire engine companies, and fire-hook and ladder companies. The fire engine companies, each to contain from twenty five to forty able bodied men, of between the age of eighteen and fifty years and no more, which companies shall be officered and governed by their own by-laws, and shall be formed only by voluntary enlistment. The fire-hook and ladder companies, to contain each from fifteen to twenty five able bodied men and no more. Every member of each company shall be exempted from jury and military duty, and whenever a member of such company shall have served twelve years he shall receive a discharge from the corporation, signed by the president, and shall forever thereafter be exempted from further military duty, except in case of invasion.

May form engine companies

Companies exempt from certain duties

SEC. 14. The members of the board of trustees and every officer of said corporation, shall, before entering on the duties of his office, take an oath or affirmation before

Trustees to take oath of office.

some judge or justice of the peace, to support the constitution of the United States, and faithfully to demean themselves in said office.

To lay off districts. SEC. 15. The trustees shall have power to divide the town into as many districts, or wards, as they from time to time may think necessary or proper, for the good of said town.

To receive donations of lands SEC. 16. The trustees of said town of Peoria shall have full powers to receive donations of lots or lands for any public building or other public works, and to receive in the name of the corporation, from individuals or companies, deeds of trust for lots or lands, situate in the bounds of said town, or within one mile thereof, whenever the said trustees shall deem it for the interest of said town to accept such deeds of trust, and when so received or accepted, they and their successors shall perform the terms of all such deeds in perpetuity.

To levy tax on merchants, &c. SEC. 17. This act shall not extend so far as to authorize the trustees of said town to license or levy any tax upon merchants, auctioneers, pedlars, or ferries, until the county commissioners' court of Peoria county shall, by an order to be entered on the records of said court, agree to relinquish the revenue arising from licences of merchants, auctioneers, pedlars, and ferries, within the bounds of the corporation of said town; *provided*, that if such order of said court shall be made, the trustees of said town of Peoria shall take charge of all the paupers within the bounds of said corporation, so as that the county shall be free from any charge on account of any paupers in said town; *provided further*, that the right to lease the wharfing privilege as contemplated in the sixth section of this act shall not extend to authorize any person or persons to erect any building or buildings on ground leased for wharfing privilege as aforesaid.

Proviso.

Proviso.

APPROVED 21st February, 1837.

Enforce 21st
Feb., 1837

AN ACT to incorporate the Mississippi Desmoines Rapids Bridge Company.

Persons constituted body corporate.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That* John Tilson jr., Adolphus Allen, Sidney H. Little, David W. Matthews, E. D. Vandervert, and James Kent, and such other persons as may associate with them, by subscribing stock as hereinafter authorised, be and they are hereby constituted a body politic and corporate, by the name of the Mississippi Desmoines Rapids Bridge company; and by

that name they and their successors shall and may hereafter have succession, and shall in law be capable of suing and being sued, pleading and being impleaded, answer and being answered unto, in all courts and places whatsoever; Powers. and they and their successors may have a common seal, and may alter and change the same at pleasure, and also they and their successors by that name and style, shall be in law capable of purchasing, holding and conveying, any estate real and personal, for the use of the said corporation; but the said real estate so to be holden, shall be such only as shall be necessary for the transaction of the business of said corporation, at each end of said bridge.

SEC. 2. That the capital stock of said company shall be two hundred thousand dollars, with the liberty to increase the same from time to time, by new subscriptions, in such manner and form as they shall think proper, if such increase shall be found necessary to fulfil the intent of this act, which said capital stock shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and be transferable in such manner as said corporation shall in their by-laws order and direct. Capital stock \$300,000. Shares \$100.

SEC. 3. The said John Tilson jr., Adolphus Allen, Sidney H. Little, David W. Matthews, E. D. Vandevent, and James Kent, are hereby appointed commissioners, the duty of whom or a majority of them, it shall be to open books in such places in this State, as they may think most suitable, and if necessary, in the cities of Philadelphia, New York, and Baltimore, and shall advertise the times and places of opening said books in the Carthaginian, and such other newspapers in this State or elsewhere, as they may think proper, giving at least thirty days notice of the time and place of opening books. If the whole of the capital stock herein named shall not be subscribed for at the time and place appointed for such subscription, said commissioners or a majority of them, shall take such measures for completing such subscription as they may deem expedient and proper, and every subscriber shall at the time of subscribing, pay to said commissioners the sum of one dollar on each share subscribed. To open books.

SEC. 4. As soon as the capital stock shall be subscribed, the said commissioners shall give notice thereof in like manner, and appoint the time and place, designating the same in said notice, for such stockholders to meet for the purpose of choosing a board of directors, which shall consist of seven in number, every stockholder shall be entitled at such and all other elections, to one vote for each share, to the number of ten, and one vote for every five additional shares, which votes may be given in person or by proxy. At the election to be held as aforesaid, the Shall give notice when stock all subscribed. Board to consist of seven.

How election to be conducted said commissioners or such of them as may attend, shall be inspectors, and their certificates of the names of the persons elected shall be conclusive evidence of such election, and said commissioners shall deliver over the subscription books to the said directors with the money received thereon. The said directors so chosen, and who may hereafter be chosen shall immediately after their election proceed to choose one of their body to be president, who shall preside at all regular meetings of the board; a majority shall constitute a quorum, and in case of the absence of the president, the board may appoint a president *pro tempore* to preside. The said board shall have the power to prescribe the time and place of holding all future elections for directors, which shall be once a year; and the said board of directors shall be vested with power to transact all the business of the incorporation in their corporate capacity, whose acts shall be binding on the same. The said board shall have power to fill all vacancies which may occur in their body, which appointment shall remain until the next annual meeting.

Elections once a year.

Power of board of directors.

SEC. 5. The board of directors when elected and organised, shall have power to make and prescribe such by-laws, rules and regulations as to them shall appear needful and proper, touching the management and disposition of the stock, property and effects of said corporation, the transfer of shares, and touching the duty and conduct of their officers and servants, and all other matters whatsoever, which may appertain to the concerns of the said corporation, shall appoint a secretary, treasurer, and such clerks as may be necessary for the transaction of business; *provided*, The said by-laws be not repugnant to the constitution and laws of this State, and of the United States.

To erect a bridge.

SEC. 6. The said corporation are hereby authorised and empowered to erect a bridge over the Mississippi river at the town of Desmoines in Hancock county, the manner and form of the construction of said bridge, shall be decided upon by said corporation, *provided*, That said bridge shall be constructed and built of sufficient height to leave the steam boat channel in said river free from all obstructions that might retard the navigation of said Mississippi river, either in high or low water, and so as not to be in the way of any improvements of the navigation in said river that may hereafter take place.

To purchase necessary land.

SEC. 7. The said corporation shall be authorized to procure a sufficient quantity of land at each end of said bridge, on which to build toll-houses and gates, and to afford room for the necessary transactions of the business of the concern; and in case of a disagreement betwixt the corporation and the owners of the land on the east side of said river, as to the value and price of said land, the same shall

be ascertained by three disinterested freeholders of the county in which the lands lie, who shall be appointed for that purpose by the county commissioners' court of the same county on the application of either party, and shall be sworn to make a just valuation thereof; and when the said corporation shall have tendered to the owner or owners or their agent or agents the full amount of the valuation of said lands, as assessed by the said freeholders, then the said corporation shall be deemed to be seized and possessed of the fee simple of all such lands or real estate, and it shall be the duty of the said freeholders or a majority of them to deliver to the said corporation a written statement of the award or awards they shall make, with the description of the said lands, to be recorded in the recorder's office of the county in which the land lies.

SEC. 8. As soon as the said bridge shall be completed, it shall and may be lawful for the said corporation to erect a gate at the end of said bridge, and to demand and receive the same rates of toll for passing the same, as may be then allowed to the ferriers crossing the Mississippi within the limits of Hancock county; the said corporation shall obtain from the county commissioners' court of Hancock county, a list of the rates of toll as established by them for the various ferries over the Mississippi within the limits of said county, for which the same tax may be charged as is charged the ferries aforesaid in such cases, and shall set up in a conspicuous place, free for the inspection of travellers or other persons interested, the rates of toll as aforesaid.

To erect toll gates.

Rates of toll to be posted up.

SEC. 9. If any person or persons shall willfully or maliciously do or cause to be done any act whatsoever whereby the said bridge or any thing appertaining to the same, shall be impaired, injured, or destroyed, the said person or persons so offending, shall forfeit and pay to the said corporation, triple the amount of damages occasioned thereby, to be recovered by the said corporation with costs of suit, in an action of trespass, in any court having competent jurisdiction thereof.

Penalty for injuring bridge.

SEC. 10. If any toll gatherer shall unreasonably delay or hinder any traveller from passing said bridge, or shall demand or receive more toll than is by this act established, he shall for every such offence, forfeit and pay a sum not exceeding ten dollars with cost of suit, to be recovered before any justice of the peace of the county where such offence shall be committed, for the use of the person or persons so unlawfully delayed, hindered or defrauded.

Penalty for hindering travellers.

SEC. 11. It shall not be lawful for any person or persons to ride or drive over said bridge faster than in a walk, neither shall any person drive on more stock or teams at one

Penalty for driving over a walk.

time, than shall be ordered or permitted by the toll gatherer or attendant on said bridge, on penalty of forfeiting for every such offence the sum of five dollars, to be recovered before any justice of the peace as aforesaid.

Term of Office. SEC. 12. All officers or directors chosen at the annual election aforesaid, shall hold their offices until the next annual election, or until others are elected in their stead, and the president and directors or a majority of them, shall have power to call a meeting of the board whenever they may deem it necessary, by publishing a notice of the time and place for holding the same, thirty days previous to the time of said meeting.

Corporation dissolved in certain events. SEC. 13. If the said bridge shall not be commenced and the work put into successful progress, within five years after the passage of this act, the said corporation shall be dissolved, and this act of no effect.

APPROVED 21st February, 1837.

In force 21st Feb. 1837 AN ACT to incorporate the Mississippi and Rock River Canal Company.

Constituted a body politic. SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That all persons who shall become stockholders pursuant to this act, shall be, and they are hereby constituted and appointed a body politic and corporate, for the term of fifty years, by the name of the "Mississippi and Rock River Canal Company," for the purpose of constructing and maintaining a canal, commencing at the most eligible point at or near the town of Milan, in Rock Island county, on said Mississippi River, and running thence to Rock River, on such route as a majority of the directors of said company shall determine to be best adapted to the public accommodation, and take, transport, carry and convey, property and persons, upon the same, by the power and force of steam, of animals, or any mechanical power, or any combination of them.

When canal shall be commenced & finished. SEC. 2. If the said corporation hereby created, shall not within two years from the passage of this act, commence the construction of said canal, and expend at least the sum of three thousand dollars thereon, and shall not within four years from the passage of this act, finish said canal, and put the same in operation, then the said corporation shall thenceforth forever cease, and this act shall be null and void.

Amount of SEC. 3. The capital stock of said corporation shall be

one hundred and fifty thousand dollars; which shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and be transferrable in such manner as the said corporation shall by its by-laws direct.

capital stock.

Deemed personal property

SEC. 4. Charles Oakly, Charles S. Hempstead, Henry Ogden, John Whipple and Charles C. Wilcox, shall be commissioners, whose duty it shall be, within one year from the passage of this act, at the said town of Milan, and in the cities of Providence, New York, and at such other places as the commissioners may deem expedient, to open books to receive subscriptions to the capital stock of said corporation; and thirty days public notice shall be given by the said commissioners of the time and place of opening such books, in the newspaper printed in Galena, Providence and New York; and the said commissioners shall, at the time of any subscription by any person or persons, for the capital stock of said corporation, require the payment to them by the person or persons subscribing, of ten dollars on every one hundred dollars so subscribed, and unless the same shall be paid, the subscription shall be invalid and void; and in case a greater amount of capital stock shall be subscribed for than the sum of one hundred thousand dollars, the said commissioners shall distribute the stock in such manner as a majority of them shall deem most advantageous to the interest of the corporation; and whenever the said capital stock shall have been subscribed, and distribution made as aforesaid, or as soon thereafter as practicable, it shall be the duty of said commissioners to give thirty days notice in a public newspaper printed in Galena, Providence and New York, for a meeting of the stockholders of the corporation, to meet at said town of Milan, to choose seven directors, and such election shall then and there be made by such stockholders as shall attend for that purpose, either in person or by lawful proxy; each share of the capital stock owned thirty days previous to the day on which any election for directors shall take place, shall entitle the owner to one vote, either personally or by lawful proxy; and the said commissioners or a majority of them, shall be inspectors of the first election of directors of said corporation, and shall certify under their hands the names of those duly elected, and deliver over the subscription money and books to said directors; and the time of holding the first meeting of the directors shall be appointed by the commissioners; and the said directors shall cause such examinations and surveys for the said canal to be made, as may be necessary to the selection by them of the most advantageous line, course or way for said canal, on the route set forth in the first section of this act; and the

Who are commissioners.
Their duties.

said directors shall, after such examinations and surveys shall be made, select, and by certificates under their hands and seals, designate the line, course or way, which they, or a majority of them, shall deem most advantageous for the said canal; one report, survey, courses and distances, with the certificate annexed thereto, shall be filed in the office of the Secretary of State, and one to be presented to the recorder of Rock Island county to be recorded, filed and preserved; which line, course or way, so selected, certified and recorded, shall be deemed the line, course or way, on which said corporation shall construct said canal.

First directors' term of office.

SEC. 5. The first directors to be chosen shall hold their office till the first Monday in June, in the year next succeeding their election, and until others shall be chosen; and every election of directors thereafter shall be annually, at Milan, on the first Monday of June, in each and every year, giving thirty days previous notice of the same in some public newspaper published in Galena, Providence and New York. All elections shall be by ballot, and a majority of the votes given shall constitute a choice; nor shall any stockholder be eligible to the office of director unless he shall own stock to the amount of three hundred dollars.

When elections for directors shall be held.

Corporation not dissolved if election for directors is neglected.

SEC. 6. In case it should at any time happen that an election of directors shall not be made on any day, when pursuant to this act it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but such election may be held at any other time directed by the by-laws of said corporation, within sixty days after the day on which it should have been held.

Corporation's powers.

SEC. 7. The corporation is hereby empowered to purchase, receive and hold, such real estate as may be necessary and convenient in accomplishing the objects for which this corporation is granted; and may, by their agents, surveyors and engineers, enter upon and take possession of and use, all such lands and real estate as may be indispensable for the construction and maintenance of their canal, and the accommodations required and appertaining thereto; and may also receive, hold and take all such voluntary grants and donations of land and real estate, for the purpose of said canal, as shall be made to said corporation, by the General Government, or any individuals; to aid in the construction, maintenance and accommodation of said canal, completely vesting in said corporation the fee simple of the same. But all lands or real estate thus entered upon for materials or otherwise, which are not donations or owned by the company, shall be purchased by the said corporation of the owner or owners of the same, at a price to be

agreed upon mutually between the parties; and in case a disagreement as to price, and before taking any materials or making any portion of said canal on said land, it shall be lawful for the commissioners, superintendent, or other authorized person, to apply to some justice of the peace of the county where the same may occur, who shall cause three freeholders to be summoned, and after being sworn faithfully and impartially to examine the materials or ground, to be pointed out to them by the commissioners, superintendent, or other authorized person or persons, and notice having been given to the owner of the property, said freeholders shall assess the damages which they shall believe such owner or owners will sustain, over and above the additional value which such lands will derive from the construction of said canal, and make two written reports, signed by at least a majority of them, one of which they shall deliver to the commissioner or other person requesting the review, and the other to the justice of the peace; and the amount of damages and cost being paid to the owner, or deposited with the justice of the peace, the road may be located, constructed, and materials taken. But if either party shall be dissatisfied, an appeal may be taken to the circuit court of the county by petition, stating all the facts of the case, and the circuit court to whom such appeal shall be prosecuted, shall direct such notice to the owner and parties as may be deemed fair and reasonable, of the time and place of hearing the parties, and upon proof of due service of such notice, and upon hearing the parties, said court shall appoint three competent and disinterested freeholders of the county in which the land is situated, to be commissioners to appraise said lands, and the damages the owner or owners thereof shall sustain by reason of their appropriation, to the uses of said company; the said commissioners shall cause due notice in writing to be served on said owner or owners, or in case of absence to be left at his or their usual place of residence, of the time when they will act in the premises; they shall examine the lands, may administer oaths and hear testimony, and shall make their appraisement in writing, without delay, under their hands, with an accurate description of the land appraised, with a map thereof, awarding to the owner or owners thereof, what they shall deem to be due, and the full value thereof, as also the damages, if any, they otherwise may sustain from the making and maintaining of said canal, and report the same with the testimony taken to the court; the court shall examine said report, and if required by either, hear the parties in relation thereto, and increase or diminish the dama-

ges and valuation, if the court shall be satisfied that injustice has been done; and the commissioners shall be allowed such sum for their services, and such costs shall be allowed to the parties, as the court may deem right and just; and said court shall make a decree for the payment of damages and conveyance, describing the land, and reciting the appraisement of damages and the mode of making it, and all other facts necessary for a compliance with this act; and when the order or decree shall be fully complied with on the part or behalf of the company, the company shall be possessed of all such lands or real estate, and may enter upon and take possession of and use the same for the purposes of said canal.

SEC. 8. In case any married woman, infant, idiot, or insane person, or non-resident of the state, who shall not appear after such notice, shall be interested in any such lands or real estate, the circuit court shall appoint some competent and disinterested person to appear before the said commissioners, and act for and in their behalf.

May regulate transportation.

Erect toll-houses.

Fix tolls.

Depredations, how punished.

Officers' term of office.

How payments are required.

SEC. 9. The said corporation is hereby authorized and empowered to regulate the time and manner in which goods, passengers and property, shall be transported, taken and carried on the same, and shall have power to erect and maintain toll-houses and other buildings necessary for the accommodation of their concerns, and from time to time, to fix, regulate, demand and receive the tolls and charges by them to be received, for transportation of persons and property on said canal.

SEC. 10. If any persons shall wilfully do, or cause to be done, any act or acts whatsoever, whereby any buildings, construction or work of the said corporation, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be deemed guilty of a misdemeanor, and shall forfeit and pay to said corporation double the amount of damages sustained by means of such offence or injury, to be recovered in the name of said corporation, with costs of suit, by action of debt, and shall be subject to indictment and punishment for the crime and offence as in other cases.

SEC. 11. All the officers and agents necessary to carry on and superintend the interest of the corporation shall be appointed or elected, and continue in office as the directors shall determine and point out in the by-laws and general regulations of the company; and it shall be lawful for the directors to require payment of the sums to be subscribed to the capital stock at such times and in such proportions, and on such conditions, as they shall deem fit and right, under the penalty of the forfeiture of all previous payments

thereon, and shall give notice of the payments thus required, and of the place and time when and where the same are to be paid, at least thirty days previous to the payment of the same, in a public newspaper printed in Galena, Providence and New York.

SEC. 12. The said corporation may make out and establish such by-laws, rules and regulations, as shall from time to time appear necessary for the good government of the same, and the preservation and due management of their property, interests and affairs. May make by-laws.

SEC. 13. The said corporation shall have the right to bring suit in any court in the state having jurisdiction of the case, and prosecute to judgment and recovery, and defend, when sued, both in law and equity; and shall be entitled to all the rights and privileges which such corporation, by the common and statute laws, governing the case, ought and should of right have; and in like manner the company may be sued in any court in the state, which, according to the rules of law and equity, can take cognizance of the case. The whole of the stock of the company and corporation shall be deemed personal property, and together with all the tools, implements, machinery and apparatus, of every description used and employed, or on hand belonging to the company, shall be liable to be seized, executed, and sold, after judgment, to make good any contract, agreement or stipulation, made by any agent, superintendent or authorized person, and it shall be a sufficient service of process to serve the same, either on the president of the board of directors, or the secretary of the company, and in case of absence, to leave a copy at the office thereof. May bring suit and prosecute

SEC. 14. It shall be the duty of the president and secretary to make out a just and true statement in relation to the condition and acts of this corporation, and shall make return thereof to the Legislature at each regular session thereof, to the truth of which statement the president and secretary shall make oath and certify the same under their hands. President and secretary's duty.

SEC. 15. The state reserves to itself the power to repeal, alter or amend this act, if the public good shall so require; *Provided, however,* that if the said corporation shall commence or complete the said canal according to the provisions of this act, and shall not infringe or violate their charter, then, if this act be repealed, the faith of the state shall be, and hereby is pledged, to pay to the said corporation, the cost of said canal, locks, toll-houses and surveys, with interest from the time the same were severally finished, and no more; and the same shall forever thereafter vest in and be the property of the state to all intents and purposes whatsoever. Reservation.
Proviso.

APPROVED 21st February, 1837.

In force 21st
Feb., 1837.

AN ACT to incorporate the Rockport and Mississippi Canal Company.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Lyman Scott, Orlando W. Ross, Thomas Odian, William A. Whiting, Richard Kerr, Elisha Petty, all of Pike county, Illinois, and their associates, successors and assigns are hereby constituted a body politic and corporate, by the name and style of "the Rock Port Canal Company," and by that name shall have perpetual succession, with the right to sue and be sued, plead and be impleaded, to make and use a common seal, and the same to alter, break or change at pleasure, to contract and be contracted with, in all matters and things relating to their corporate powers or duties, as fully and effectually as a natural person, to purchase, hold and convey real and personal estate.

Company con-
stituted a body
politic and cor-
porate

Privileges

Capital stock

SEC. 2. The capital stock of said company shall be fifty thousand dollars, and divided into shares of fifty dollars each, to be subscribed for and owned as hereinafter directed.

To construct a
canal

SEC. 3. The said corporation shall have power to construct, and during its existence, to maintain, continue, and keep a canal from a point on the Mississippi river, above Louisiana, in Missouri, to the Snicarty above the Atlas Mills, in Pike county, Illinois; and to transport, take and carry upon the said canal, persons and property, to have, hold, use and enjoy the same, and the tolls and profits thereof during the existence of the corporation.

Commissioners
to open books,
&c.

SEC. 4. The aforesaid persons are hereby appointed commissioners to receive subscriptions to the capital stock of said company, and they are authorised and required to open books at such time and place as they may think proper, and receive subscriptions to the said stock from all persons and bodies politic who may desire to subscribe for the same. They shall give notice of the time and place of opening said books and of the terms of subscribing, by publication in one or more newspapers printed in the state, at least twenty days before opening the same; and the books shall be kept open at each place of opening at least three days.

To give notice

Subscribers to
pay

SEC. 5. Each person subscribing stock to the said company, shall be required to pay five dollars on each share of stock subscribed, or the subscription shall be invalid; *Provided*, that the commissioners may take notes from the subscribers for the amount required to be paid as aforesaid, payable to said company at such time, and with such conditions as may be agreed on, and such notes shall be good and valid in law, and may be collected by the company according to the condition thereof.

Provide

SEC. 6. The immediate government and direction of said company and the management of its affairs shall be under the control and superintendence of five directors, to be chosen annually by the stockholders as hereinafter provided, and each and every successive body of directors shall continue in office until their successors are elected.

Directors to manage and control affairs of company

SEC. 7. If the whole of the capital stock of said company shall be subscribed during the time the books are required to be kept open, or if ten thousand dollars of said stock shall be subscribed, the said commissioners shall cause an election to be holden for the five directors of said company by the stockholders thereof; and the said commissioners shall act as judges and inspectors of said election. The election shall be holden at Atlas, in Pike county, and notice of the time and place of holding said election shall be given by a publication in some newspaper printed in the state, ten days previous to the day appointed for the same. If ten thousand dollars shall not be subscribed during the time the books are kept open as aforesaid, the commissioners are authorised to re-open the books at such time and place as they may think proper, and whenever ten thousand dollars shall be subscribed, the election for directors shall be held as herein required.

Commissioners to cause an election

When and where election to be held

SEC. 8. Stockholders shall be entitled to one vote for every share of stock subscribed and owned at the time of voting.

Stockholders entitled to vote

SEC. 9. Whenever an election for directors shall take place, they shall assemble at some convenient place, and elect one of their body as president; they shall also appoint a treasurer and secretary; and it shall be the duty of the commissioners appointed to receive the subscriptions of stock, to deliver over to the directors the subscription books and all money and notes received by them for the use of the company. The directors first elected shall hold their offices for one year, and until their successors are elected.

Directors to elect officers

Term of office

SEC. 10. The directors of the company shall have and exercise all the powers conferred upon the corporation, and are authorised to employ all engineers, agents, servants and other persons necessary to carry on the business of the company; they are also authorised to cause the necessary surveys to be made of the route of the canal, and to construct said canal in such manner and form, and with such dimensions as to secure steamboat navigation from the Mississippi river to the Snicarty aforesaid, and to use the water of either or both of said streams for that purpose. They are also authorised to regulate the rate of tolls upon the said canal, to adopt by-laws for the regulation of the concerns of the company, to regulate the sala-

Directors to manage affairs of company

Compensation of officers rics and compensation of all officers and agents of the company, to require payment of stock subscribed by the subscribers in equal proportions, at such times and in such sums as may be required in the progress of the work, or for the use of the company. They shall also have power in case of default on the part of any of the stockholders in making payments upon their subscriptions, to declare the stock forfeited and all previous payments made thereon; to provide for disposing of all stock not subscribed for previous to their election, to regulate the time and manner of holding elections, the time and place of meeting for the transaction of business, to provide that stockholders in default to the company shall not be allowed to vote for directors, and to do all other acts and things necessary to carry into effect the object of this act, and the powers conferred and duties imposed upon the corporation.

May declare stock forfeited

Who may not be directors SEC. 11. No person shall be a director who shall not, at the time of his election, own ten shares of the capital stock of said company.

Company may enter on land SEC. 12. The said company may enter upon and use so much land as may be necessary in the construction and use of the canal; and if they shall be unable to agree with the owner of any land through which the canal may pass, upon the price thereof, or upon the amount of damages which such owner will or may sustain by reason of the making of the canal, it shall be lawful for said company to present a petition to the circuit court of Pike county, setting forth the fact that the line of the canal has been located upon and across the lands of the persons with whom the disagreement may exist, and asking the court to appoint three or more commissioners to examine the premises, and fix the price to be paid for the land, or the amount of damages which such owner will sustain by reason of the construction of the canal, which petition shall be filed in the clerk's office of said court, and a summons issued thereon against all persons who are made parties to the same, as in cases of suits in chancery; and if the summons shall be served upon the defendants five days previous to the sitting of the court, the court shall appoint the commissioners according to the prayer of the petition. The commissioners shall be sworn before some person authorised to administer oaths, that they will faithfully and impartially execute the duties required of them, and shall, without delay, proceed to discharge the same. In ascertaining the price of land, or assessing damages, the commissioners shall take into consideration as well the advantages and benefits, as the disadvantages and injury which will or may accrue to the parties, and shall value land and assess damage accordingly.

Commissioners to assess damages

To be sworn

SEC. 13. The commissioners shall make their report to the same term of the court at which they are appointed if practicable, otherwise at the succeeding term; and when the report is made, if no exception be taken to the same, the court shall make an order approving the same; and shall, moreover, make an order requiring the owners of land to convey to the company the land required for the use of the canal, or to release to the company all claim to damages by reason of the construction thereof, as the case may require, whenever the company shall pay the value of the land to be conveyed, or the damages, as fixed by the commissioners. And the court is hereby vested with the power to carry into effect and cause to be complied with all orders made in the premises. If exceptions be taken to any report of the commissioners, the court shall hear and determine the same in a summary manner, and if any report shall be set aside, the court may order the same commissioners to make another report, or may appoint others. The court shall allow any addition or amendment to be made to any report which may be necessary to a fair and final decision upon the same, or upon the rights of the parties interested.

To make a report of proceedings

Damages

Additional commissioners may be appointed

SEC. 14. Guardians of infants, husbands of *femes covert*, or conservators of idiots or lunatics, are authorised to execute conveyances for lands and releases for damages and such conveyances and releases shall operate as though executed by persons able and capable in law to execute the same.

Femes covert, idiots, lunatics

SEC. 15. The president and directors shall divide the stockholders in proportion to the amount of yearly or half yearly all profits arising or accruing to the company from the use of the canal. They shall also be bound to submit to the stockholders an annual report of the condition of the company and of the management of the business and affairs of the same.

Profits, divide

SEC. 16. A majority of the commissioners appointed by this act, shall have authority to act and exercise all the powers and perform all the duties required of said commissioners.

SEC. 17. A majority of the directors shall constitute a quorum for the transaction of business; *Provided*, that the directors may prescribe by their by-laws limits to the powers of a quorum.

Proviso

SEC. 18. The corporation shall be bound for all damages sustained by reason of the negligence or improper conduct of its agents.

Corporation to pay damages

SEC. 19. If any person shall, intentionally or negligently do any act whereby any lock, embankment or construction of any kind whatsoever, appertaining to said canal

Persons injuring property how proceeded against

shall be in any wise injured, such person shall be liable to an action of debt for the same, and three times the amount of damages shall be recovered, and such person shall also be liable to an indictment, and upon conviction to be fined or imprisoned at the discretion of the court.

When to commence and complete canal

SEC. 20. The said corporation shall commence the construction of the canal within two years from the passage of this act, and complete the same within ten years, otherwise the corporate powers hereby conferred shall cease to exist.

Capital stock assignable

SEC. 21. The capital stock shall be assignable and may be transferred in such manner and form as the directors may, in their by-laws direct, and the same shall be regarded as personal property, and shall be liable to be sold or execution.

Mode of commencing suit

SEC. 22. The mode of commencing suits against the corporation shall be by summons, and service thereof shall be by delivering a copy to the president or treasurer; *Provided*, that this act shall not be so construed as to authorise said company to hold any quantity of land, at any one time to exceed six hundred and forty acres, and that said corporation shall continue in force for fifty years, and no longer.

Proviso

APPROVED 21st February, 1837.

In force, 24th.
Feb. 1837

ACT to incorporate the Pittsfield Academy.

Created a body politic corporate

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That* W. Ross, William Watson, Robert R. Green, Archibald H. Argyle, Robert Wills, and Ebenezer Abbott, and their successors, be and they are hereby created a body politic and corporate to be styled and known by the name of the Trustees of the Pittsfield Academy, and by that style and name to remain and have perpetual succession. The said Academy shall be and remain near the town of Pittsfield, in Pike county, and State of Illinois. The number of trustees shall not exceed seven, one of whom shall be president of the board, to be chosen by the trustees.

To have perpetual succession
Location
Number of trustees

Objects of the corporation

SEC. 2. The object of said corporation shall be the promotion of the general interests of education. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said object, and such as are usually conferred upon similar bodies corporate, to wit: To have perpetual succession; to

Powers

make contracts; to sue and be sued, plead and be impleaded; to grant and receive by its corporate name, and to do all other acts as natural persons may; to accept, acquire, purchase, or sell property, real, personal, or mixed, in all lawful ways; to use, employ, manage, and dispose of all such property and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the objects before mentioned; to have a common seal, and to alter or change the same; to make such by-laws for its regulations as are not inconsistent with the constitution and laws of the United States, or of this State; and to confer on such persons as may be considered worthy, such academical or honorary degrees as are usually conferred by similar institutions.

May have a common seal

SEC. 3. The trustees of said corporation shall have authority, from time to time, to prescribe and regulate the courses of studies to be pursued in said academy; to fix the rates of tuition and other academical expenses; to appoint instructors, and such other officers and agents as may be necessary in managing the concerns of the institution; to define their duties, to fix their compensation, and displace or remove them; to erect necessary buildings; to purchase books, chemical and philosophical apparatus, and other suitable means of instruction; to make rules for the general management of the affairs of the institution, and for the regulation of the conduct of the students.

Trustees may regulate course of studies

Fix rates of tuition

Compensation to officers, &c.

SEC. 4. The trustees for the time being, in order to have perpetual succession, shall have power to fill vacancies which may occur in the board from death, removal, resignation, or any other cause; a majority of the trustees for the time being shall be a quorum to do business.

Vacancies, how filled

SEC. 5. It shall be the duty of said trustees to appoint one of their number treasurer of the board, who shall be required to give bond with sufficient security in such penal sum as the board may prescribe, conditioned for the performance of such duties as the by-laws may require of him.

Treasurer to be appointed

SEC. 6. The said institution shall be open to all denominations of christians, and the profession of any religious faith shall not be required of those who become students. All persons, however, may be suspended or expelled from said institution by the trustees thereof, whose habits are vicious, or whose moral character is bad.

Not to be sectarian

May suspend or expel

SEC. 7. The lands, tenements, and hereditaments, to be held in perpetuity, by virtue of this act, by said corporation, shall not exceed one hundred and sixty acres: *Provided, however,* if any donations, grants, or devises in

What amount of lands may be held

Provide

land shall from time to time be made to said corporation over and above one hundred and sixty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said corporation for the period of five years from the date of any such donation, grant, or devise, at the end of which time, if the said land shall not have been sold by said corporation, then and in that case the said land, so donated, granted, or devised, shall revert to the donors, grantors, or the heirs of the devisors of the same.

APPROVED 24th February, 1837.

In force, 24th Feb. 1837	AN ACT to incorporate the Mississippi and Illinois Rail-road Company.
Body politic & corporate created	<p>SEC. 1. <i>Be it enacted by the people of the State of Illinois, represented in the General Assembly, That Alexis Phelps, John Humphrey, John Miles, John G. Sanburn, Matthew Chambers, Joseph Duncan, Parnach Owen, Charles Hansford, Eli Wilson, George B. Parker, Joshua Aiken, Andrew M. Hunt, and Peter Menard, jun., their associates, successors, and assigns are hereby created a body politic and corporate, under the name and style of the Mississippi and Illinois Rail-road Company, and by that name</i></p>
Capable in law	and [style] hereby are made capable in law and equity to sue and be sued to final judgment and execution, to plead and be impleaded, defend and be defended in any court or courts of record, or in any other place whatever; to
In any court	make, have, and use a common seal, and the same to break, renew and alter at pleasure; to contract and be contracted with; and shall be and hereby are vested with all the powers, privileges, and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth: and the said company are hereby authorized and empowered to locate, construct, and finally complete a rail-road, commencing at Oquawka on the Mississippi river, and extending through Monmouth in Warren county, and Knoxville in Knox county, to Peoria on the Illinois river, in such manner and form as the said company shall deem most expedient. And for this purpose said company are authorized to lay out their said Rail-road at least six rods wide through the whole length; and for the purpose of cutting embankments, stone, and gravel may take as much more land as may be necessary for the proper construction and security of said Rail-road: <i>Provided, That all damages</i>
May have a common seal	to make, have, and use a common seal, and the same to break, renew and alter at pleasure; to contract and be contracted with; and shall be and hereby are vested with all the powers, privileges, and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth: and the said company are hereby authorized and empowered to locate, construct, and finally complete a rail-road, commencing at Oquawka on the Mississippi river, and extending through Monmouth in Warren county, and Knoxville in Knox county, to Peoria on the Illinois river, in such manner and form as the said company shall deem most expedient. And for this purpose said company are authorized to lay out their said Rail-road at least six rods wide through the whole length; and for the purpose of cutting embankments, stone, and gravel may take as much more land as may be necessary for the proper construction and security of said Rail-road: <i>Provided, That all damages</i>
May contract	to make, have, and use a common seal, and the same to break, renew and alter at pleasure; to contract and be contracted with; and shall be and hereby are vested with all the powers, privileges, and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth: and the said company are hereby authorized and empowered to locate, construct, and finally complete a rail-road, commencing at Oquawka on the Mississippi river, and extending through Monmouth in Warren county, and Knoxville in Knox county, to Peoria on the Illinois river, in such manner and form as the said company shall deem most expedient. And for this purpose said company are authorized to lay out their said Rail-road at least six rods wide through the whole length; and for the purpose of cutting embankments, stone, and gravel may take as much more land as may be necessary for the proper construction and security of said Rail-road: <i>Provided, That all damages</i>
Powers to construct a rail-road	to make, have, and use a common seal, and the same to break, renew and alter at pleasure; to contract and be contracted with; and shall be and hereby are vested with all the powers, privileges, and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth: and the said company are hereby authorized and empowered to locate, construct, and finally complete a rail-road, commencing at Oquawka on the Mississippi river, and extending through Monmouth in Warren county, and Knoxville in Knox county, to Peoria on the Illinois river, in such manner and form as the said company shall deem most expedient. And for this purpose said company are authorized to lay out their said Rail-road at least six rods wide through the whole length; and for the purpose of cutting embankments, stone, and gravel may take as much more land as may be necessary for the proper construction and security of said Rail-road: <i>Provided, That all damages</i>
Road to be six rods wide	to make, have, and use a common seal, and the same to break, renew and alter at pleasure; to contract and be contracted with; and shall be and hereby are vested with all the powers, privileges, and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth: and the said company are hereby authorized and empowered to locate, construct, and finally complete a rail-road, commencing at Oquawka on the Mississippi river, and extending through Monmouth in Warren county, and Knoxville in Knox county, to Peoria on the Illinois river, in such manner and form as the said company shall deem most expedient. And for this purpose said company are authorized to lay out their said Rail-road at least six rods wide through the whole length; and for the purpose of cutting embankments, stone, and gravel may take as much more land as may be necessary for the proper construction and security of said Rail-road: <i>Provided, That all damages</i>
Stone & gravel	to make, have, and use a common seal, and the same to break, renew and alter at pleasure; to contract and be contracted with; and shall be and hereby are vested with all the powers, privileges, and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth: and the said company are hereby authorized and empowered to locate, construct, and finally complete a rail-road, commencing at Oquawka on the Mississippi river, and extending through Monmouth in Warren county, and Knoxville in Knox county, to Peoria on the Illinois river, in such manner and form as the said company shall deem most expedient. And for this purpose said company are authorized to lay out their said Rail-road at least six rods wide through the whole length; and for the purpose of cutting embankments, stone, and gravel may take as much more land as may be necessary for the proper construction and security of said Rail-road: <i>Provided, That all damages</i>
Proviso.	to make, have, and use a common seal, and the same to break, renew and alter at pleasure; to contract and be contracted with; and shall be and hereby are vested with all the powers, privileges, and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth: and the said company are hereby authorized and empowered to locate, construct, and finally complete a rail-road, commencing at Oquawka on the Mississippi river, and extending through Monmouth in Warren county, and Knoxville in Knox county, to Peoria on the Illinois river, in such manner and form as the said company shall deem most expedient. And for this purpose said company are authorized to lay out their said Rail-road at least six rods wide through the whole length; and for the purpose of cutting embankments, stone, and gravel may take as much more land as may be necessary for the proper construction and security of said Rail-road: <i>Provided, That all damages</i>

that may be occasioned to any person or corporation by the taking of such land or materials for the purposes aforesaid, shall be paid for by said company in the manner hereinafter provided.

SEC. 2. The capital stock of said company shall consist of seven thousand shares of one hundred dollars each. **Capital stock \$700,000**
 The immediate government and direction of the affairs of said company shall be vested in not less than five directors, who shall be chosen by the members of the company in the manner hereinafter provided, who shall hold their offices for one year, and until others shall be duly elected and qualified to take their places as directors; and the said directors, or a majority of them, shall form a quorum for the transaction of business, shall elect one of their number to be president of the company, and shall have authority to choose a clerk, who shall be sworn to the faithful discharge of his duty, and a treasurer, who shall give bond to the company with sureties to the satisfaction of the directors. **Governed by five directors**
Term of office
Majority shall form a quorum
May choose a clerk and treasurer

SEC. 3. The president and directors, for the time being, are hereby authorized and empowered by themselves or their agents to exercise all the powers and authority herein granted for the purpose of locating, constructing, and completing said rail-road, and all such other powers and authority for the management of the affairs of said company, not heretofore granted, as may be necessary to carry into effect the objects of this grant only; to purchase and hold lands, materials, and other necessary things in the name of the company for the use of the road; to make such equal assessments, from time to time, on all the shares in said company as they may deem necessary and expedient in the progress and execution of the work, and direct the same to be paid to the treasurer of the company, and the treasurer shall give notice of all such assessments. The board of directors shall have power to call special meetings of the stockholders of the company, and to adopt rules and by-laws regulating the manner and time of payment of all assessments they may order as they may deem expedient. **May purchase & hold lands**
May call special meetings
Adopt rules & by-laws

SEC. 4. Said company shall be holden to pay all damages that may arise to any person or persons, corporation or corporations, by taking their land, stone, or gravel for the use of said rail-road, when the same cannot be obtained by voluntary agreement, to be estimated and recovered in the manner provided by law for the recovery of damages happening by the laying out of highways. **Shall pay damages**

SEC. 5. When the lands, or other property, or estate of any married woman, infant, or person non compos mentis, shall be necessary for the construction of said rail-road, the husband of such married woman, and the guar-

Lands of individuals

Guardian may release dian of such infant or person non compos mentis may release all damages in relation to the land or estate to be taken and appropriated as aforesaid, as fully as they might do if the same were holden in their right respectively.

Persons obstructing road shall forfeit **SEC. 6.** If any person shall wilfully, maliciously, or wantonly, and contrary to law, obstruct the passage of any car on said rail-road or any part thereof, or any thing belonging thereto, he, she, or they, or any person assisting, shall forfeit and pay to said company for every such offence treble such damages as shall be proven before any court competent to try the same, to be sued for in the name and behalf of said company; and such offender or offenders shall be deemed guilty of a misdemeanor and liable to indictment in the same manner as other indictments are found in any county or counties where such offence shall have been committed, and upon conviction of such offence shall be liable to a fine not exceeding five thousand dollars for the use of the county where the indictment may be found, or may be imprisoned not exceeding one year at the discretion of the court before whom the conviction may be had.

Misdemeanor **SEC. 7.** Said company shall so construct their said rail-road across rivers, canals, turnpikes, or other public ways, as not to obstruct, hinder, or interfere with the passage, navigation, and free use of such public ways: and if said road shall not be so constructed, it shall be lawful for the persons aggrieved to abate the same in the same manner as is now provided by law for the removal of obstructions to public ways.

Obstruction, how abated **SEC. 8.** The time and place of holding the annual meetings of said company for the election of directors and other purposes, shall be fixed and determined by the by-laws of said company, and at such meetings each proprietor shall be entitled to vote in person or by proxy as many votes as he holds shares.

Time of annual meeting fixed by by-laws **SEC. 9.** The persons hereinbefore mentioned are hereby appointed commissioners to open subscription books for the stock of said company; and they, or a majority of them, are hereby authorized to open subscription books for said stock at such places as they may deem proper, and shall give at least thirty days notice of the time and places where such books shall be opened; and shall keep the same open for five days, unless the whole number of shares of said company shall be sooner subscribed, and they shall require each subscriber to pay one dollar on each share subscribed at the time of subscribing. And at the termination of said five days, or sooner if the whole amount of said shares shall be taken, said commissioners shall call a meeting of the stockholders by giving thirty days notice, in some public newspaper printed in this

May vote in person or by proxy

Books to be opened

Notice of Time of

\$1 shall be paid on subscription Meeting of stockholders, how called

State, of the time and place of such meeting. At such meeting it shall be lawful to elect the directors of said company; and when the directors of said company shall have been chosen, the said commissioners shall deliver said subscription books, together with all sums of money received by them, to said directors: *Provided*, That no election shall be held until the whole number of shares of said company shall have been subscribed; *and Provided*, *also*, That each director shall at the time of his election hold at least ten shares of the capital stock of said company.

Election lawful

Proviso

Proviso

SEC. 10. The president and directors shall have power to make, ordain, and establish such by-laws, rules and regulations, and ordinances as they may deem expedient and necessary to accomplish the purposes, and to carry into effect the provisions of this act; and for the well ordering, regulating, and securing the interest and affairs of said company: *Provided*, The same are not repugnant to the constitution and laws of this State, and of the United States.

Power to make by-laws

Proviso

SEC. 11. A toll shall be and is hereby granted and established for the sole benefit of said company upon all passengers and property of all descriptions, which may be conveyed or transported upon said road, at such rates per mile as may be agreed upon and established from time to time by the direction of said corporation. The transportation of persons and property, the construction of wheels, the form of cars and carriages, the weight of loads, and all other matters and things in relation to the use of said road, shall be in conformity to such rules and regulations, and provisions, as the directors shall from time to time prescribe and direct: *Provided, however*, That if the net income and receipts for tolls and other profits from and after the completion of said road shall exceed twelve per cent. per annum, the legislature may take measures to reduce said rates of tolls and profits so as to take off the overplus. The directors of said company for the time being are hereby authorized to erect toll houses, establish gates, appoint toll gatherers, and demand toll upon the road when completed, and so much thereof as shall from time to time be completed.

Tolls

Cars & carriages

Proviso

Toll houses

SEC. 12. The said company shall have the route of the proposed rail-road surveyed within two years from August next, and the road completed within ten years thereafter, otherwise this act is declared null and void.

Route to be surveyed

SEC. 13. The county commissioners' courts of the counties of Warren, Knox, and Peoria may subscribe for any number of shares of the capital stock of said company not exceeding forty shares each, in the same manner and upon the same terms as individuals may do

Counties may subscribe for stock

- under this act, and the State of Illinois may in like manner subscribe for any number of shares of said stock not exceeding one third part thereof: and the said several county courts and the said State of Illinois in all elections to be held in and for said corporation shall, by their respective agents thereto duly authorized, be entitled to so many votes as they respectively hold shares of the capital stock of said company.
- State may subscribe**
- Votes**
- Duty of company** **SEC. 14.** It shall be the duty of said company to keep a full, complete, perfect, and correct account of all cost incurred and of all expenditures made by them in the construction of said rail-road, which account, so kept, shall at any time, when called for, be laid before the General Assembly of the State of Illinois for inspection and examination; and it is expressly provided, that the State of Illinois may at any time purchase from said company the said rail-road by paying to said company the cost and expense of constructing the same, together with interest thereon, at the rate of twelve per cent. per annum.
- State may purchase**
- In force 40 yrs.** **SEC. 15.** This act shall exist and be in force for the period of forty years from and after the first day of March next, unless the said corporation shall be guilty of acts contrary to the provisions of its charter and against the public good, or unless it shall in any manner abuse or transcend the powers hereby granted; and then and in that, or either of the said cases, the Attorney General of this State, at the request of fifty citizens of this State, specifying clearly in writing the acts and charges upon which said request is founded, shall file an information in the nature of a *quo warranto* against said corporation for the purpose of vacating and annulling this act: *Provided, however,* In case the said charter is annulled, the said company shall have power for three years thereafter to dispose of all its property, and to settle its affairs in its corporate name.
- Proviso**

APPROVED 24th February, 1837.

In force Feb. 24, 1837. **AN ACT** to incorporate the Pike county Mutual Fire Insurance Company.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Reuben Hatch, Josiah Lombard, George W. Johnson, James A. Collins, James Hutchinson, jr., Ozias M. Hatch, Alexander Starne, Chatham French, John McCallister, Theodore Dickerson, James Wilson, Marshall Ayres, Dana Ayres,

Corporation created, and their powers and privileges

and Uriah Brown, and all other persons who may hereafter become members of said company in the manner hereinafter prescribed, be and they hereby are incorporated and made a body politic, by the name of the "Pike county Mutual Fire Insurance Company," for the purpose of insuring their respective dwelling houses and other buildings, with their contents, against loss or damage by fire, whether the same shall happen by accident, lightning, or by any other means excepting that of design in the insured, or by the invasion of an enemy, or insurrection of the citizens of this or of any of the United States, and by that name may sue and be sued, plead and be impleaded, appear, prosecute, and defend in any court of record or other place whatever, may have and use a common seal, may purchase and hold such real and personal estate as may be necessary to effect the objects of their association; and they may sell and convey the same at pleasure; may make and establish, and put in execution such by-laws, ordinances and resolutions, not being contrary to the laws of the State, as may seem necessary or convenient for their regulation and government, and for the management of their affairs, and do and execute all such acts and things as may be necessary to carry into full effect the purposes intended by this grant.

SEC. 2. All and every person and persons who shall at any time become interested in said company by insuring therein, and also their respective heirs, executors, administrators, and assigns, continuing to be insured therein as hereinafter provided, shall be deemed and taken to be members thereof, for and during the times specified in their respective policies, and no longer, and shall at all times be concluded and bound by the provisions of this act.

SEC. 3. There shall be a meeting of said company at Griggsville, in the county of Pike, on the first Tuesday of September, annually, or on such other day as the said company may hereafter determine, at which shall be chosen by a major vote of the members present, a board of directors, consisting of not more than nine, nor less than five members, who shall continue in office until others shall have been chosen, and accepted the trust in their stead. All vacancies happening to said board may be filled by the remaining members until the next annual meeting, and a majority of the whole number shall constitute a quorum for the transaction of business. Special meetings of the company may be called by order of the directors, or in such manner as the by-laws thereof may have prescribed.

SEC. 4. The board of directors shall superintend the concerns of said company, and shall have the arrangement

generally the concerns of company.

To appoint officers of company.

To elect a president, and may hold meetings, &c.

Members of company to pay into treasury

Members neglecting to pay may be proceeded against by suit

of the funds and property thereof, and of all matters and things thereunto relating, not otherwise provided for by said company. They shall have power from time to time, to appoint a secretary, treasurer, and such other officers, agents and assistants as to them may seem necessary, and to prescribe their duties, fix their compensation, take such security from them as they may deem necessary for the faithful performance of their respective duties, and may remove them at pleasure. They shall determine the rates of insurance, the sum to be insured on any building, not exceeding three-fourths of its value, and the sum to be deposited for their insurance thereof. They shall order and direct the making and issuing of all policies of insurance; the providing of books, stationery, and other things needful for the office of said company, and for carrying on the affairs thereof; and draw upon the treasurer for the payment of all losses which may have happened, and for the expenses incurred in transacting the concerns of said company. They shall elect one of their own number to act as president, and may hold their meetings monthly, and oftener, if necessary, for transacting the business of the company, and shall keep a record of their proceedings; and any director disagreeing with a majority of the board at any meeting may enter his dissent with his reasons therefor, on record.

SEC. 5. Every person who shall become a member of said company by effecting insurance therein shall, before he receive his policy, pay into the treasury such a per centum in money on the property insured as the directors shall actually require to defray his proportion of the necessary expenses of transacting the business of said company for one year, and no more. And annually thereafter, such further sum as may be required during the current year for the same purpose; and he shall, also, before he be permitted to receive his policy, deposit with the treasurer of said company his promissory note for the balance of the premium for the term of years for which his property shall have been insured, which note, together with the amount paid annually in money as provided above, shall constitute his proportion of the capital stock of said company; and for the payment of which should any loss or damage happen by fire to the property insured, in and with said company by any member thereof, during the period for which he shall have insured, he shall be held liable for his proportion of such loss or damage forever; and any member neglecting or refusing to pay his proportion of such loss or damage, and due notice having been given, and assessment made upon him for the same by the constituted authority of said company, may be proceeded against by suit institu-

ted in the name of said company, in any court of record or other place whatever; and any member so neglecting or refusing to pay such assessment, or his or her annual proportion of the expenses of said company as herein before provided, shall cease to have his property insured therein, until the day on which he shall make such payment, and no allowance or alteration in the time of his next payment will be made, should any member neglect or refuse to pay such assessment for one year after they shall have become due and payable, his right to the benefit of the capital stock of said company shall be forfeited.

His right to capital stock forfeited

Damage happening by fire, notice to be given within thirty days

SEC. 6. That in case of any loss or damage by fire happening to any member upon property insured in and with said company, the said member shall give notice thereof in writing to the directors, or some one of them, or to the secretary of said company, within thirty days from the time such loss or damages, may have happened; and the directors, upon a view of the same, or in such other way as they may deem proper, shall ascertain and determine the amount of said loss or damage; and if the party suffering is not satisfied with the determination of the directors, the question may be submitted to referees; or the said party may bring an action against said company for loss or damage at any court to be holden in and for the county of Pike, within one year from the time of such loss or damage, and not afterwards. And if, upon the trial of said action, a greater sum shall be recovered than the amount determined upon by the directors, the party suffering shall have judgment therefor against said company with interest thereon from the time said loss or damage happened, and costs of suit. But if no more shall be recovered than the amount aforesaid, the said party shall become non-suit, and the said company shall recover their costs; *Provided, however,* that the judgment last mentioned shall in no wise affect the claim of said suffering party to the amount of loss or damage as determined by the directors aforesaid; *And provided, also,* that execution shall not issue on any judgment against said company until after the expiration of three months from the rendition thereof.

An action may be brought against company

May have judgment with interest

Proviso

Company may make insurance for 7 years

SEC. 7. The said company may make insurance for any term not exceeding seven years; and any policy of insurance issued by said company, signed by the president, and countersigned by the secretary, shall be deemed valid and binding on said company in all cases.

Directors to pay loss within three months, &c.

SEC. 8. The directors shall settle and pay all losses within three months after they shall have been notified as aforesaid, unless they shall judge it proper within that time to re-build the house or houses destroyed, or repair the damages sustained, which they are hereby empowered to do in convenient time; *Provided,* they do not lay out

Proviso

and expend in such building, or repairs, more than the sum insured on the premises; but no allowance is to be made in estimating damages in any case for gilding, historical, or landscape painting, statue or carved work; nor are the same to be replaced if destroyed by fire.

Alteration in property, insurance void unless, &c.

SEC. 9. If any alteration should be made in any house or building by the proprietor thereof, after insurance has been made thereon by said company, whereby it may be exposed to greater risk or hazard from fire than it was at the time it was insured, then, and in every such case, the insurance made upon such house or building shall be void, unless an additional premium and payment, after such alteration, be settled with and paid to the directors. But no alteration or repairs in buildings not increasing such risk or hazard shall in any wise affect the insurance previously made thereon.

Insurance void unless double insurance, &c.

SEC. 10. If insurance on any house or building shall be and subsist in said company, and in any other office, or from and by any other person or persons at the same time, the insurance made in and by said company shall be deemed and become void, unless such double insurance subsist with the consent of the directors, signified by endorsement on the back of the policy, signed by the president and secretary.

Company unable to pay for losses; sufferers to receive proportional dividends

SEC. 11. If it should ever happen that the stock of said company shall not be sufficient to pay all the loss occasioned by any fire, then and in such case the sufferers insured by said company shall receive towards making good their respective losses a proportionable dividend of the said whole stock, according to the sums of them respectively insured by said company.

Directors not to exceed 3 per cent. in assessments.

SEC. 12. The directors shall never require assessments which shall make the funds of the company exceed three per cent. on the amount of property insured.

Who may call first meetings of members by giving notice

SEC. 13. The said Reuben Hatch, Josiah Lombard, George W. Johnson, James A. Collins, James Hutchinson, jr., Ozias M. Hatch, Alexander Starne, Chatham French, John McCallister, Theodore Dickerson, James Wilson, Marshall Ayres, Dana Ayres, and Uriah Brown, or either two of them, may call the first meeting of the members of said company, at any suitable time and place in Griggsville aforesaid, by advertisement in either of the newspapers printed in the county of Pike, or the adjoining counties, giving at least twenty days notice of the time, place, and design of said meeting, for the purpose of choosing the first board of directors, of making and establishing by-laws, and of transacting any business necessary and proper to carry into effect the provisions and intentions of this act.

APPROVED 24th February, 1837.

AN ACT to incorporate the President and Trustees of the Rushville Seminary. In force 24th Feb. 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the persons hereafter to be elected pursuant to the provisions of this act, and their successors, be and they are hereby created a body politic and corporate, to be styled "the president and trustees of the Rushville seminary," and in that name to remain in perpetual succession, with power to sue and be sued, plead and be impleaded, to acquire, hold and convey property real and personal, to have and to use a common seal, and the same to alter, break, and renew at pleasure; to make and alter from time to time, such by-laws as they may deem necessary for the government and regulation of said institution, its officers, servants, and property; *provided,* such by-laws be not inconsistent with the constitution and laws of this State or of the United States.

Company incorporated. Style.

Powers and liabilities.

SEC. 2. The president and trustees of the said institution shall be citizens of this state, and stockholders in the said corporation; and the trustees shall consist of six persons, who together with the president shall be elected by the stockholders annually on the first Monday in January, in each and every year, and shall hold their offices until their successors are duly elected and qualified. The elections shall be held at the court house in Rushville, for the first election, and ever after at the Seminary, or other houses of the corporation. All elections for officers shall be by ballot, and may be made personally or by proxy, and conducted in such manner as shall be directed by the by-laws.

President and trustees elected annually.

Elections where held.

SEC. 3. The stockholders shall have power at special elections, to be called by the president and trustees, or a majority of them, for that purpose, to fill all vacancies that may happen in the said board of president and trustees, by occasion of death, removal, resignation, or otherwise.

Stockholders may fill vacancies in office.

SEC. 4. The president and trustees before entering upon the discharge of their duties, shall severally take and subscribe an oath or affirmation before some competent officer, to support the constitution of this State and of the United States, and well and faithfully to perform the duties of their respective offices, to the best of their skill and abilities.

President and trustees to take oath.

SEC. 5. The said president and trustees shall hold the property of the said institution solely for the purposes and advantages of education and the promotion of literature and science in the said seminary, and not as a stock for the individual profit and benefit of themselves, or of any contributor to the endowment of the same; and no

Property shall only be held for purposes of education.

particular religious faith shall ever be required of those who become president and trustees, students, teachers, officers or servants of said institution.

Religious faith. **Where institution permanently located.** **Powers of trustees.** **To take real estate, &c.** **Duties of president and trustees.** **Proviso.**

SEC. 6. The said institution shall be permanently located in or near the town of Rushville, in Schuyler county, in this state. And the said president and trustees shall be competent in law and equity to take to themselves and their successors in office, in their corporate name and capacity, any estate real, personal and mixed, by the gift, grant, bargain and sale, conveyance, will, devise, or bequest of person or persons, body corporate and political whatsoever; and the same estate whether real or personal, to grant, bargain and sell, convey, demise, let, place out on interest, or otherwise dispose of, for the sole and separate use and benefit of said institution. The said president and trustees shall faithfully apply all funds, by them collected and received, according to the best of their judgment, in erecting, completing, or repairing a suitable building or buildings, supporting the necessary officers, instructors and servants, and in procuring books, maps, charts, globes, philosophical and other apparatus, necessary for the success of said seminary; *provided*, nevertheless, that in case any donation, devise, or bequest shall be made to the said corporation for a particular and specific purpose or purposes, not incompatible with the designs of this institution, and the corporation shall accept the same, every such donation, devise or bequest, shall be applied in conformity with the express conditions prescribed by the donor or deviser.

Treasurer and secretary of board. **Treasurer's bond.** **Process against corporation**

SEC. 7. The president and trustees shall annually, and as soon as may be convenient, after their own election and qualification into office, elect a treasurer and secretary of the board of president and trustees of the said corporation, who shall each be stockholders therein, and who when elected and qualified, shall continue in office until their successors are elected and qualified. The treasurer before he enters on the duties of his office shall execute a bond with approved security to the president and trustees of the Rushville seminary, in such penal sum as they may require, conditioned for the due and faithful performance of his duty as treasurer; and in case of the death, removal, refusal or neglect to act of the treasurer, for the time being, it shall be lawful for the president and trustees at any of their meetings to appoint another treasurer instead of the one dead, removing, refusing or neglecting to act as aforesaid, to remain in office till the expiration of the time during which his predecessor was entitled to serve; and all processes against the said corporation shall be by summons; and service of the same shall be by leav-

ing an attested copy thereof with the treasurer of [said corporation,] at his usual place of residence, at least twenty days before the return thereof. Both the treasurer and secretary shall, before entering upon the duties of their offices, take an oath or affirmation, faithfully to fulfil the duties thereof respectively.

shall be by summons.

Oaths of officers.

SEC. 8. The president and trustees shall have power to employ and appoint a principal for said institution, and all such instructors and instructresses, and also such servants as may be necessary, and shall have power to displace any or either of them as they may deem the interest of the institution and the cause of education therein to require, and to fill vacancies that may happen by death, resignation, or otherwise, among said officers and servants.

Principal shall be employed.

SEC. 9. The lands within the jurisdiction of this state, held in perpetuity by the said institution, shall not exceed eighty acres, at any one time, and if donations in lands shall be made to said corporation, the same may be received and held in trust by the said president and trustees, and shall be sold within five years from the date of such donation for the benefit of the institution; and in failure whereof the land so given shall revert to the donor or grantor of the same, or to their heirs; and the said president and trustees shall in no case lease or rent out any land so held in trust, for a longer time than four years from the time of such donation or grant.

Land held in perpetuity.

SEC. 10. The president and trustees shall meet semi-annually or oftener, if they shall deem proper, at the seminary or other building of the institution; and it shall be the duty of the secretary to attend all the meetings of the board, and keep and preserve a fair and correct record of all their proceedings. A majority of the board shall constitute a quorum for transacting all business appertaining to the institution; *provided*, that the votes of a majority of the whole board shall be necessary to elect any officer, instructor, or servant thereof.

President and trustees shall meet semi-annually.
Duty of secretary.

Proviso.

SEC. 11. That on the payment of ten dollars to the treasurer of the said institution, every free white person residing within the state shall be considered a stockholder, and shall be entitled to one vote; and it shall be lawful for each and every stockholder, for the time being, of the said institution, his or her executors, administrators or assigns, to give, sell, devise and dispose of their respective rights or shares in the said seminary, and that their respective assignees shall be stockholders of said institution, and shall be entitled to all the rights and privileges in this institution, as the original stockholders are entitled to by this act; *provided*, that a part of a right or share shall not entitle

Who may be stockholders.

Proviso.

the proprietor or owner thereof to any privilege whatsoever in said institution.

Commissioners
to receive sub-
scriptions of
stock.

SEC. 12. That Hart Fellows, Edward Doyle, John Scrips, Josiah Parrot, Jonathan G. Randall, and Robert H. Burton, of the county of Schuyler, be and they are hereby appointed commissioners, to solicit and receive subscriptions of stock to said institution, and give receipts for the first instalment, to be paid on subscription; and when the sum of one thousand dollars shall be subscribed for, the said commissioners, or any three of them, are hereby authorized to give public notice by posting up advertisements at six of the most public places in the said county, of the time and place of holding an election for president and trustees of said institution, which said election shall be held at the court house in Rushville, between the hours of 12 o'clock A. M. and 6 o'clock P. M. on said day; and that the said commissioners or any three of them are hereby appointed judges of said election, and are authorized and empowered to hold the same. The second election and every subsequent one shall be held on the first Monday in January annually, at the seminary or other building of the institution, between the hours of 12 o'clock A. M. and 6 o'clock P. M. of said day; that each stockholder shall be required at the time of subscribing or at or before the first election for President and trustees to pay to the commissioners the sum of two dollars on each share by him or her subscribed, and the residue at such time or times, as the president and trustees shall direct and require; *provided*, that any stockholder or stockholders neglecting or refusing to pay the balance due on any share or shares, shall forfeit to the said institution the money previously paid on such share or shares so neglected.

Notice of elec-
tion of presi-
dent and vice
president.

Judges of elec-
tion.

When and
where elections
to be held.

Stockholders to
pay \$2 on each
share at time
of subscribing.

Proviso:

Elections by
ballot.

SEC. 13. All elections for president and trustees shall be by ballot, with the name of the voter or stockholder written or printed on the ballot, and the number of the shares of stock he or she may hold in said institution, and shall be given to the treasurer or secretary of the board, or to the president and trustees; any three of whom shall and may act as a board of election.

Seminary, to
whom open.
Proviso:

SEC. 14. The said seminary when in operation, shall at all times be open for the use and privilege of every free white person within the United States who may wish to be instructed by the instructors and instructresses employed by the president and trustees thereof; *provided*, said person will comply with the laws and by-laws of the said institution, and pay the sums fixed by the president and trustees for the instruction of pupils attending at the same; *provided nevertheless*, that each and every stockhol-

Proviso.

der in the said institution shall be entitled to the admission of one pupil or student in the same, for each and every share he or she may legally hold therein.

SEC. 15. That in case it should so happen that an election for president and trustees should not take place on any day when, pursuant to this act, the same should be held, the said corporation shall not for that cause be deemed to be dissolved, but that it shall be lawful on any other day, to hold an election in the place of the one omitted to be held, in such manner as shall be prescribed by the by-laws and ordinances of said corporation.

When no election, corporation not to be dissolved.

SEC. 16. This act shall be in force from and after its passage.

APPROVED 24th February, 1837.

AN ACT to incorporate the Canton and Utica Rail Road Company. In force 24th February 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Charles Hunt, Isaiah Stillman, Gabriel Walling, Lathrop W. Curtis, Alexander Wilson, Nathaniel B. Childs, Joel Wright, Jonas Breed, Starling Turner, John Orendoff and Lewis Bideman, their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of the "Canton and Utica Rail Road Company," and by that name may be, and [are] hereby made capable in law and equity, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any court or courts of record, or in any other place whatever; to make, have and use, a common seal, and the same to break, renew and alter, at pleasure; and shall be, and are hereby vested with all the powers, privileges and immunities, which are or may be necessary to carry into effect the purposes and objects of this act, as hereinafter set forth. And the said company are hereby authorized and empowered, to locate; construct, and finally complete, a rail road, commencing on the Illinois river at or near the mouth of Coperas creek, thence to Utica, in such manner and form as the said company shall deem most expedient. And for this purpose said company are authorized to lay out said road not to exceed eight rods wide through the whole length, and for the purpose of cutting embankments, stone, gravel, may take as much more land as may be necessary for the proper construction and security of said road; *Provided,* That all damages that may be occasioned to any

Corporation created, their powers and privileges.

Proviso.

person or persons, by the taking of such land or materials, for the purposes aforesaid, shall be paid for by said company in the manner hereinafter provided.

Amount of
Capital stock,
with privilege
to increase.

Directors to be
elected & term
of office.

To elect a
president and
appoint other
officers

President and
directors may
construct rail
road, &c.

Company to
pay damages

Guardian may

SEC. 2. The capital stock of said company shall consist of one thousand shares, with the privilege of increasing the same to two thousand shares in the whole, of fifty dollars each; and the immediate government and direction of the affairs of said company shall be vested in seven directors, who shall be chosen by the members of the company, in the manner hereinafter provided, who shall hold their offices for one year and until others shall be duly elected and qualified to take their places as directors; and the said directors, a majority of whom shall form a quorum for the transaction of business; shall elect one of their number to be president of the board, who shall also be president of the company, and shall have authority to choose a clerk, who shall be sworn to the faithful discharge of his duty; and a treasurer, who shall give bond to the company with securities to the satisfaction of the directors.

SEC. 3. The president and directors, for the time being, are hereby authorized and empowered, by themselves or their agents, to exercise all the powers and authority herein granted, for the purpose of locating, constructing and completing said rail road; and all such other powers and authority for the management of the affairs of said company, not heretofore granted, as may be necessary to carry into effect the object of this grant; to purchase and hold lands, materials, and other necessary things, in the name of the company, for the use of the road; to make such equal assessments from time to time, on all the shares in said company, as they may deem expedient and necessary, in the progress and execution of the work, and direct the same to be paid to the treasurer of the company, and the treasurer shall give notice of all such assessments. The board of directors shall have power to adopt rules and by-laws, regulating the manner and time of payment of all assessments they may order, under such penalties as they may deem proper.

SEC. 4. Said company shall be holden to pay all damages that may arise to any person or persons, by taking their lands, stone, or gravel, for the use of said rail road, when the same cannot be obtained by voluntary agreement, to be estimated and recovered in the manner provided by law for the recovery of damages happening by the laying out of highways.

SEC. 5. When the lands or other property, or estate of any married woman, infant, or person non compos mentis, shall be necessary for the construction of said rail road, the husband of such married woman, and the guardian of

such infant, or person non compos mentis, may release all damages in relation to the land or estate, to be taken and appropriated as aforesaid, as fully as they might do if the same were holden in their right respectively. release damages.

SEC. 6. If any person shall wilfully, maliciously or wantonly, and contrary to law, obstruct the passage of any car on said rail road, or any part thereof, or any thing belonging thereto, he, she, or they, or any person assisting, shall forfeit and pay to said company, for every such offence, treble such damages as shall be proved before any court competent to try the same, to be sued for in the name, and in behalf of said company; and such offender or offenders shall be deemed guilty of a misdemeanor, and liable to indictment in the same manner as other indictments are found, in any county or counties where such offence shall have been committed; and upon conviction such offenders shall be liable to a fine not exceeding five thousand dollars, for the use of such county where the indictment may be found, or may be imprisoned not exceeding one year, at the discretion of the court before whom the conviction may be had. Any person injuring road to forfeit, &c.
Liable to indictment, and punished

SEC. 7. Said company shall so construct their said rail road across public highways so as not to hinder, obstruct, or interfere with the passage and free use of such public highways; and if said rail road shall not be so constructed, it shall be lawful for the persons aggrieved to abate the same, in the same manner as is now provided by law for the removal of obstructions to public highways. Road may be abated for causing obstructions

SEC. 8. The time of holding the annual meetings of said company for the election of directors, shall be fixed and determined by the by-laws of said company; and at all meetings each stockholder shall be entitled to vote in person, or by proxy duly authorized, one vote for each share he or she may own. Elections to be fixed by the by-laws

SEC. 9. That Charles Hunt, Isaiah Stillman, Gabriel Walling, Lathrop W. Curtis, Alexander Wilson, Nathaniel B. Childs, Joel Wright, Jonas Breed, Starling Turner, John Orendoff and Lewis Bideman, or a majority of them, are hereby appointed commissioners to open subscription books for the stock of said company. Said commissioners, or a majority of them, are hereby authorized to open subscription books for said stock, at such places as they may deem proper, and shall give at least thirty days notice of the and place where such books shall be opened, and shall keep the same open for five days, unless the whole number of shares of said company shall be sooner subscribed; and they shall require each subscriber to pay one dollar on each share subscribed, at the time of subscribing; and at the termination of said term of five days, or sooner, if the whole amount of said shares shall be taken, said commissioners Commissioners to open books for subscription Notice to be given

To call a meeting by giving ten days notice shall call a meeting of the stockholders, by giving ten days notice in some public newspaper printed in this state, of the time and place of such meeting. At such meeting it shall be lawful to elect the directors of said company, and when the directors of said company shall have been chosen, the said commissioners shall deliver said subscription books, together with all sums of money received by them, to said directors; *Provided*, That no election shall be held until the whole number of shares of said company shall have been subscribed; *and provided also*, that each director shall, at the time of the election, hold at least ten shares of the capital stock of said company.

Proviso.

Directors to make by-laws, &c.

SEC. 10. Said board of directors shall have power to make, ordain and establish, such by-laws, rules, and regulations and ordinances, as they may deem expedient and necessary to accomplish the purposes, and carry into effect the provisions of this act, and for the well ordering, regulating and securing the interests and affairs of said company; *Provided*, The same be not repugnant to the constitution and laws of this state, or of the United States.

Proviso

When to commence and complete road, or null and void

SEC. 11. The said company shall, on or before the fourth day of July 1838, commence the construction of said rail road, and have the same completed within five years thereafter; and should the said company fail to have the said road commenced and completed as herein provided, in either case this act shall be null and void.

Company to have discretionary power

SEC. 12. Said company shall have a discretionary power to continue said rail road from Utica to Canton, in Fulton county, in the same manner and form, and upon the same conditions as herein granted, from the place of beginning on the Illinois river, to Utica; and for this purpose shall be vested with all the powers, privileges and immunities, heretofore granted in this charter, and shall be governed by the same rules, regulations and by-laws; *Provided*, Said company shall commence the construction of said proposed continuation within five years from the obtaining of this corporation, and complete the same previous to the expiration of this charter.

Proviso

May construct a canal

SEC. 13. Said company shall have further power, if they deem it most practicable, to construct a canal in lieu of the above named rail road, or any part thereof, under the same rules, regulations, by-laws and restrictions, and have the same powers, privileges and immunities, as heretofore granted, for the construction of the aforesaid rail road.

Right reserved

SEC. 14. The Legislature reserves the right to alter, amend or repeal this act, whenever in the opinion of the General Assembly the public good may require the same.

APPROVED 24th February, 1837.

AN ACT to incorporate the Hanover College in Tazewell county.

In force Feb. 27th, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That William Major, William Davenport, Dennis Rockwell, Joshua Jones, Jacob Cassell, David B. Henderson, Josiah L. James, Isaac G. Israel, Joseph J. Taggart, Samuel R. Smith, R. O. Wariner, William Rockwell, John Hill, Huston Hawks, J. Josephus Hewitt, and their successors be, and they are hereby created a body corporate and politic, by the name of the "Trustees of Hanover College," and by that name and style to remain and have perpetual succession. Said college shall be located at or near to the town of Hanover in Tazewell county. The number of trustees shall not exceed fifteen, exclusive of the president, principal, or presiding officer of the institution, who shall, *ex-officio*, be a member of the board of trustees.

Trustees of college

College when located

SEC. 2. The objects of said incorporation shall be the diffusion of knowledge among men, the promotion of the general interests of education; to qualify young men to engage in the several employments and professions of society, and to discharge, honorably and usefully, the various duties of life.

Objects of incorporation

SEC. 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said objects, and such as are usually bestowed on similar bodies corporate, viz: to have perpetual succession, to make contracts, to sue and be sued, plead and be impleaded, to grant and receive by its corporate name, and to do all other acts and things as natural persons may; to accept and acquire, purchase or sell property, real, personal, or mixed, in all lawful ways; to use, manage, employ, and dispose of such property, and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the objects aforesaid; to have a common seal, and to alter or change the same; to make such by-laws as are not inconsistent with the constitution and laws of the United States and of this state, and to confer on such persons as may be deemed worthy, such academic or honorary degrees as are usually conferred by similar institutions.

Powers of corporation to make contracts, &c.

To make by-laws

To confer degrees

SEC. 4. The trustees of said college shall have authority from time to time, to prescribe and regulate the course of studies to be pursued in said college, and in the preparatory department attached thereto; to fix the rate of tuition, room rent and other college expenses; to appoint instructors, and such other officers and agents as may be needed in managing the concerns of the institution; to define their powers, duties and employments; to fix their

Trustees may appoint officers or agents, and remove them

May erect
buildings and
purchase books
&c.

compensation; to displace and remove either of said instructors, officers, or agents, or all of them, as said trustees shall deem the interests of said college may require; to fill all vacancies among said instructors, officers, and agents; to erect suitable or necessary buildings; to purchase books, chemical and philosophical apparatus, and all other suitable means of instruction; to put in operation a system of manual labor, for the purpose of lessening the expense of education and promoting the health of the students; to make rules for the general government of the affairs of the college, and for the regulation of the conduct of the students; and to add, as the ability of the corporation shall increase, and the wants of the community demand, additional departments for the study of any or all the liberal professions, *Provided*, that no theological department shall ever be attached thereto.

Trustees may
remove trustee
Proviso

SEC. 5. If any trustee shall be elected president of the college, his former place as trustee shall be considered as vacant, and the place filled by the remaining trustees.— The trustees for the time being shall have power to remove any trustee from office for any dishonorable or criminal conduct; *Provided*, that no such removal shall take place without giving to such trustee notice of the charges preferred against him, and an opportunity to defend himself before the board of trustees; nor unless two-thirds of the trustees for the time being concur in such removal. The trustees for the time being, in order to have perpetual succession, shall have power, as often as a trustee may be removed from office, die, resign, or remove out of this state, to appoint a resident of this state to fill the vacancy occasioned by such removal, death, resignation, or removal out of the state. A majority of the trustees for the time being shall be a quorum to do business.

To apply funds

Proviso

Proviso

SEC. 6. The trustees shall faithfully apply all funds by them collected, according to their best judgment, in erecting suitable buildings; in procuring books, maps, charts, globes, chemical, philosophical and other apparatus necessary to aid in the promotion of sound learning in the institution: *Provided*, that in case any donation, devise, or bequest, shall be made for particular purposes, accordant with the objects of this incorporation, and the trustees shall accept the same. Every such donation, devise or bequest shall be applied in strict conformity with the express condition of the donor or deviser: *Provided, also*, that lands so donated or devised as aforesaid, shall be sold or disposed of as is required by the tenth section of this act.

SEC. 7. The treasurer of said college always, and all other agents when required by the trustees, before en-

tering upon the duties of their appointment, shall give bonds respectively for the security of the corporation, in such penal sum and with such securities as the board of trustees shall approve. All process against said corporation shall be by summons, and the service of the same shall be by leaving an attested copy with the treasurer of said corporation, at least thirty days before the return day thereof.

Trustees and agent to give bond
Form of process and return

SEC. 8. The said college and its preparatory department shall be open to all denominations of christians, and the profession of any religious faith shall not be required of those who become students: all persons, however, may be suspended, or expelled from said institution, whose habits are idle, or whose moral character is bad.

College open to all denominations of christians

SEC. 9. The lands, tenements and hereditaments to be held in perpetuity in virtue of this act shall not exceed one thousand acres: *Provided however*, that for, during, and until the termination of the term of ten years from the passage of this act, said corporation shall be permitted to hold one thousand acres, in addition to the land held in perpetuity as aforesaid. The said trustees shall, within one year from the termination of the aforesaid term of ten years, sell at public auction, to the highest bidder, any quantity of said additional thousand acres, not less than one hundred and sixty acres; and in each successive year thereafter, said trustees shall sell, as aforesaid, not less than one hundred and sixty acres; *Provided, further*, that the whole of said additional one thousand acres shall be sold, as aforesaid, within five years from the expiration of the before mentioned term of ten years: *And it is further provided*, that if, at any time after said college has gone into actual operation, and after the faculty of said college shall consist of the president and two additional professors, any person or persons shall desire to establish a third or any greater number of professorships, not inconsistent with the provisions of this act, and for this purpose shall secure to the trustees of said college a permanent fund of five hundred dollars annually for each such professorship, so to be created, it shall and may be lawful for said trustees to hold, for the support of each such professorship, any quantity of land not exceeding three hundred and twenty acres; and the fund so secured to the trustees, with all the rents and profits arising from the land, so held for the support of each such professorship, shall be kept separate and distinct from the funds and means of the college, and also separate and distinct from each other, and shall be applied solely and alone to the support of that particular professorship for which such fund was originally secured, and for which said land may be held; and for and

Lands to be held in perpetuity
Proviso

Trustees to make sale

Proviso

Proviso

Proviso

during the time that the aforesaid permanent fund and land herein before named, shall be so held by the said trustees, for the support of any such professorship, as aforesaid; any number of young men, not exceeding five for each professorship so established, not being over the age of eighteen years at the time of applying, shall, on presenting to the president of said college the recommendation of any county commissioner's court in this state, certifying to the good moral character and sober habits of each applicant, be entitled to all the advantages of said institution free of charge; *And it is further provided*, that if at any time any such professorship shall be without a professor in its chair during two terms of instruction in said college, or during that length of time be without students, said trustees shall, within six months from the close of such second term, sell at public auction, to the highest bidder, all lands held by them for the support of such professorship; and at the first county commissioners' court which shall be held in the county in which said college is situate, said trustees shall present a true and full statement of the proceeds of said land, and also of the amount and situation of the permanent fund, created for the support of any such professorship. And said fund, or any part of it which may be within the control of said trustees, and the proceeds of the land herein last mentioned, shall forever after constitute a fund for the gratuitous education of young men in said college, subject to the restrictions and on the recommendation prescribed for beneficiaries in the former part of this section: said trustees shall be required to make out, and submit to the county commissioners' court aforesaid, yearly, a full and complete statement of the condition of said fund for the current year, and how said fund has been appropriated in compliance with this act. And at all times said trustees shall furnish said county commissioners with any information relating thereto, which they may require, and which shall be within the knowledge of said trustees.

Donations may be received and held for five years

SEC. 10. If any donation, grant or devise in land shall from time to time be made to said institution over and above the one thousand acres to be held in perpetuity as aforesaid, and over and above the lands held by virtue of the other provisions of the ninth section of this act, the same may be received and held by said corporation for the period of five years from the date of any such donation, grant or devise; at the end of which time, if the said lands over and above the lands to be held in perpetuity, and over and above the lands held by the other provisions of the ninth section of this act, shall remain unsold, then and in that case, the lands so donated, granted or devised,

shall revert to the donor, grantor, or heirs of the devisor of the same, and in case the donor, grantor or heirs of the devisor of said lands shall be deceased or unknown, the school commissioner for the county in which said college is situate; shall proceed to sell said lands, and the proceeds of said lands so sold by the school commissioners shall be divided among the several school districts of the county, and be appropriated to common school purposes solely in proportion to the population of each district.

School commissioners to sell lands and make appropriations

SEC. 11. No sale of lands shall be made by the trustees of said corporation, until notice has been previously given for at least six weeks successively, in some public newspaper in this state, announcing the time, place, and terms of said sale; any sale of lands to be made by the school commissioner under this act shall be regulated as nearly as may be, by the laws of this state regulating the sale of school lands; and if, at any time, said corporation shall act contrary to, or fail, or refuse to comply with the provisions of this charter, it shall be the duty of the circuit attorney for the circuit in which said college is at such time situated, to cause a *scire facias* to issue to repeal this charter.

Notice of sale to be given before sale

APPROVED 27th February, 1837.

AN ACT to incorporate the Beet Sugar, Silk, and Vegetable Oil manufacturing company. In force 2 th Feb. 1837

SEC. 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That William Craig, John B. Hundley, Benjamin F. Edwards, John B. Campden, and Joseph Green, their associates and successors be, and they are hereby constituted a body politic and corporate, by the name of the Illinois Beet Sugar, Silk, and Vegetable Manufacturing Company, and by that name shall have power to contract, and be contracted with, sue and be sued, plead and be impleaded, answer and be answered, defend, and be defended, in all courts of law and equity in this State, and to make, have, and use a common seal, and the same to alter and renew at pleasure, and shall continue and exist as such, from and after the passage of this act, for the term of twenty years.

Constituted a body politic & corporate.

Powers and privileges:

SEC. 2. The said company are hereby authorised to enter into and carry on the cultivation of beet, and other saccharine vegetables, and manufacturing sugar therefrom, also the

May manufacture and cultivate. cultivation of the different varieties of the mulberry, and the growing of silk and manufacturing the same into the various articles of commerce, also oil from the poppy, sun flower seed, and other vegetables; to export their products and manufactures, to erect mills, works, machinery, and such other buildings as may be necessary to carry on efficiently their business, and to enter into all contracts which may concern the use and management of said property.

Erect machinery.

Amount of capital stock.

SEC. 3. The capital stock of said company shall be fifty thousand dollars, with power to increase the same at the pleasure of said company, to any amount not exceeding one hundred and fifty thousand dollars.

Directors to form a board and transact all business of company.

SEC. 4. The stock property, and concerns of said corporation, shall be managed and conducted by five directors, who shall, or a majority of them, constitute a board, and be competent to the transaction of all business, and may from time to time make and prescribe such by-laws, rules, and regulations relative to the concerns of said corporation as may be deemed by them necessary, and shall also regulate the duties of their agents and clerks and all others by them employed.

Directors.

SEC. 5. William Craig, John B. Hundley, Benjamin F. Edwards, John B. Campden, and Joseph Green, shall be directors from the time this act takes effect, and until succeeded by others, who shall be elected by the stockholders or their proxies, on the second Monday in May next, and annually thereafter; but in case such elections should not be so held, this charter shall not be forfeited, but an election may be held at any time within three months thereafter, on the call of any two stockholders given in a newspaper printed in Alton.

May elect a president and secretary.

SEC. 6. Immediately after the directors are chosen as above, they shall hold a meeting at which, and at all subsequent meetings a majority shall constitute a quorum; they shall proceed to the election of a president from their number, a secretary, who shall be sworn by a justice of the peace to the faithful discharge of his duty, and who shall record all the votes of the corporation in a book, to be by him kept for that purpose, a treasurer, who shall give bond to such amounts and in such manner as the said president and directors shall direct, and appoint such other officers and agents as to them may seem proper.

Treasurer to give bond.

Stock to be divided into shares.

SEC. 7. The capital stock of said company shall be divided into shares of one hundred dollars each, and each share shall be entitled to one vote.

Location of the establishment.

SEC. 8. The establishment of said corporation for the cultivation and manufacture of the articles aforesaid, shall be located in Madison or Macoupin county, as the directors, or a majority of them, may deem most advantageous.

SEC. 9. That the general place of meeting for said company, shall be at Alton in this State, but the president and directors of said company may select such other places of business as to them may seem fit, for the general purposes of said company.

Place of meeting for company.

SEC. 10. The corporation shall at all times keep proper books of account, in which shall be registered all the transactions of said corporation, and it shall be the duty of said directors to make annual dividends, or at such other times as a majority of them may direct, of the profits of said company, and the said directors shall at least every six months, exhibit a full and complete statement of debts and credits, and such other matters as may be deemed essential relating to the affairs of the company.

Company to keep books, make annual dividends &c.

Statement to be exhibited.

SEC. 11. The corporation hereby created by this act, shall be capable and are hereby authorised to purchase, hold, and convey any estate, real, personal, or mixed, that may be necessary to enable the same to carry on efficiently its business as defined in this act, and for no other purposes whatever, *Provided*, The land to be held by said company shall not exceed, at any one time, six hundred and forty acres.

May hold and convey real estate.

Proviso.

SEC. 12. The stock of said company shall be deemed personal property, and assignable and transferrable on the books of the corporation, but no stockholder indebted to the corporation shall be permitted to make a transfer until such debt be paid to the satisfaction of said directors.

Stock deemed personal.

APPROVED Feb. 27th, 1837.

AN ACT to incorporate the towns therein named, and for other purposes. Inforce 27th. Feb., 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the inhabitants of the towns of Lynnville in Morgan county, Frankfort in Franklin county, Clayton in Adams county, Warsaw in Hancock county, and Vienna in Johnson county, are hereby authorised to become incorporated upon the same terms, and in the same manner prescribed by the act entitled "an act to incorporate the inhabitants of such towns as may wish to be incorporated," approved February 12, 1831, notwithstanding there may not be one hundred and fifty inhabitants in said town, and upon complying with the provisions of the act aforesaid, the inhabitants of said town and the president and trustees thereof, when elected, shall have, exercise, and enjoy, all the rights, privileges and

Towns may be incorporated &c.

Powers of president and trustees.

powers granted and conferred upon incorporated towns of this State; *provided*, That the trustees shall not have the power of levying and collecting taxes upon any land not laid out in town lots.

Justice's district created.

SEC. 2. A justice's district is hereby created and established, to include the said town of Lynnville, the boundaries of which shall be one mile square, the centre of the public square in Lynnville to be the centre of the district, and the said district shall elect one justice of the peace, and one constable, to have and exercise the like jurisdiction and powers as other justices of the peace and constables.

Justice's district created.

SEC. 3. A justice's district is hereby created and established, to include the town of Winchester in the county of Morgan, the boundaries of which shall be one mile square, the centre of the public square in Winchester to be the centre of the district, the said district shall be entitled to two justices of the peace and two constables, who shall have and exercise the same jurisdiction and powers as other justices of the peace and constables.

Clerk to give notice for election of justices and constables.

SEC. 4. The clerk of the county commissioners court of Morgan county is hereby required to give notices for the election of one justice of the peace and one constable in each of said districts, on or before the first Monday in May next, and on the day of election the electors present shall choose judges, who shall appoint clerks, and the election shall be conducted in all respects, and returns made as required by the law regulating the elections of justices of the peace and constables; the persons elected at said election shall continue in office until superceded by the election of others at the next general election of justices of the peace and constables.

SEC. 5. The provisions of the first section of this act, shall be extended in all respects to the inhabitants of the towns of Warsaw, and Carthage in the county of Hancock.

APPROVED 27th Feb., 1837.

In force 27th Feb. 1837.

AN ACT to amend an act entitled an act to incorporate the Carlyle bridge company.

Act amended so as to authorise the erection of bridge &c.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the third section of the act entitled an act to incorporate the Carlyle bridge company, approved January 16th 1836, shall be and the

same is hereby so amended as to authorise and empower the corporation by said act created to erect the bridge therein authorised across the Kaskaskia river, by commencing the same at the east end of Franklin instead of Fairfax street at Carlyle, or at such point between said streets as to said corporation may seem best, thence to the east bank of said river, to be constructed in all other respects as contemplated in said act of incorporation, *Provided*, Said company shall so construct said bridge by having a slide or draw in the middle of the same, so as to afford at all times a free and speedy passage to steam boats and other water crafts, *Provided also*, That said company shall not so construct said bridge as to obstruct the ford on the river where the state road now crosses the same.

Proviso,

Proviso,

SEC. 2. This act to be in force from its passage.

APPROVED February 27th, 1837.

AN ACT supplementary to an act to incorporate the Alton Marine and Fire Insurance Company, approved Feb. 7th, 1835. In force, 27th Feb. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That so much of the capital stock of said company as is required to be invested in bank stock by the twelfth section of the act, to which this is a supplement, may be invested at the discretion of the directors of said company either on mortgage on real estate, or in the manner now provided by law: *Provided*, That nothing herein contained shall be construed to exempt the said company from the duties and liabilities of insurance as prescribed by the act to which this is a supplement; and *Provided further*, That a majority of the stockholders of said company shall on or before the first day of April next, accept of this supplementary act, which acceptance shall be signified to the secretary of said company, and entered upon his minutes.

Capital stock may be invested on mortgage or real estate

Proviso

Proviso

APPROVED February 27th, 1837.

In force Feb.
27, 1837.

AN ACT to incorporate the Athens Female Academy.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That James D. Allen, William S. Stane, Josiah Francis, James E. Brassfield, William Strawbridge, William B. Brown, Harry Riffin, John N. Moor, John Berry, Josiah Smith, and John Primm, sen. together with such other persons as may become members of the corporation hereby created, shall be and they are hereby constituted and declared to be a body politic and corporate by the name of the "Athens Female Academy."*

Declared a body politic and corporate

Capital stock

SEC. 2. The capital stock of the said corporation shall not exceed ten thousand dollars, and shall be divided into shares of fifty dollars each.

How divided

Corporate powers

SEC. 3. The corporation hereby created shall be forever capable in law to purchase, take, receive, hold, and enjoy any estate, real and personal, whatsoever, to an amount not exceeding ten thousand dollars, and to lease, sell, and convey or otherwise dispose of the same.

Number of trustees to be elected

SEC. 4. There shall forever hereafter be elected nine trustees of the said corporation, who shall be members thereof, by the stockholders of the corporation, on the fourth day of July, one thousand eight hundred and thirty-seven.

General meeting to be held for election of officers

SEC. 5. There shall be on the fourth day of July, one thousand eight hundred and thirty-seven, and on the fourth day of July in every succeeding year, a general meeting of the members at some convenient place in the town of Athens, to be designated by the by-laws of said corporation, who shall in person, or by proxy, elect one president and treasurer, and such other officers as may be necessary for the management of said corporation, who shall hold their respective offices one year, or until their successors are elected, and in case any of the trustees shall die, resign or refuse to serve, then and in every such case the remaining trustees shall and may, within thirty days thereafter, elect by ballot or viva voce other members of said corporation in their stead, who shall hold their offices until the fourth day of July next ensuing, and until others are elected in their stead.

How votes to be given
Stockholders to receive subscriptions

SEC. 6. Each member shall be entitled to one vote for each share of which he shall be the holder, and the stockholders shall receive subscriptions for shares in said corporation until the capital stock is subscribed. The said stock shall be assignable and transferrable, according to such rules as the boards of stockholders shall from time to time make and establish, and shall be considered personal property.

SEC. 7. In case it should at any time happen that an election of the trustees should not be made on any day, when, pursuant to this act, it should be made, the said corporation shall not for that cause or for any *nonuser* be deemed to be dissolved, but it shall and may be lawful on any other day to hold an election for trustees in such manner as said trustees may deem proper and convenient.

Corporation not dissolved if fails to elect officers

SEC. 8. The said academy shall be located in Athens, in Sangamon county, and the said trustees shall be competent in law and equity to take to themselves and their successors in office, in their corporate name, any estate, real, personal, or mixed, by the gift, grant, bargain, and sale, conveyance, will, devise, or bequest of any person or persons whomsoever; and the same estate, whether real or personal, to grant, bargain, sell, demise, let, place out on interest, or otherwise dispose of for the use of said institution in such manner as may be most beneficial. Said trustees shall faithfully apply all funds collected, or the proceeds, according to their best judgments in erecting suitable buildings, supporting the necessary officers and instructors, and procuring books, maps, charts, globes, philosophical and other apparatus, necessary to the success of said institution.

Where to be located Trustees' powers

SEC. 9. If at any time the corporation shall act contrary to the provisions of this act, or shall in any manner abuse the powers herein granted, it shall be the duty of the Attorney General to file an information in the nature of a *quo warranto* for the purpose of vacating and annulling this act, and the powers herein granted.

May be proceeded against by quo warranto

APPROVED February 27th, 1837.

AN ACT to amend an act entitled an act to incorporate the Franklin manual Labor College, approved Jan. 16th, 1836.

In force, 27th Feb. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the trustees of the Franklin Manual Labor College shall have power to locate said college in the county of Will, and that so much of the first section of the act to which this is an amendment as requires the trustees of the aforesaid college to locate it either in the county of Cook or La Salle, be and the same is hereby repealed.

APPROVED, 27th February, 1837.

In force Feb.
27th, 1837

AN ACT to incorporate the Mackinaw and Illinois Canal Company

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Asa Lee Davidson, Ira Davenport and John A. Jones, their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the style and name of the "Mackinaw and Illinois canal and manufacturing company," and by that name shall have power to contract and be contracted with, and shall be and hereby are made capable in law to sue and be sued, to file a judgment in execution, plead and be impleaded, defend and be defended in any court of record, or in any other place whatsoever; to make, have, and use a common seal, and the same to break or alter at pleasure, and shall be and hereby are vested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes of this act as hereinafter set forth.

Company constituted body politic and corporate

Powers and privileges

Capital stock

May be increased

Deemed personal property

SEC. 2. The capital stock of said company shall consist of one thousand shares of one hundred dollars each share with liberty to increase the same from time to time, in such manner and form as they shall think proper, if such increase shall be deemed necessary, by the company to fulfill the intent of this act, which said capital stock shall be deemed personal property and transferrable in such manner as the said corporation shall direct, *provided*, the said capital stock shall not exceed two hundred thousand dollars,

May construct a canal

SEC. 3. The said corporation shall have the right and power to construct, maintain, and continue a canal in the county of Tazewell, from the Mackinaw river, commencing on section number twenty-four, in township number twenty-four north, of range number six west, of the third [principal] meridian, and thence a westerly course to the Illinois river, at or near Egman's ferry, on which canal said company shall permit all persons to pass with boats, passengers, and property, whenever the same is passable upon payment of such tolls as may be fixed upon by the directors, *Provided*, the tolls shall be uniform; and the said company are hereby authorized to use the water power created or improved by the construction of the said canal for the purposes of manufacturing grain and lumber, woollen and cotten stuffs and goods and such materials of wood and metal as they may think proper, and may, for that purpose erect and use such mills, works, or machine shops or other buildings as may be necessary to carry into effect the objects of their incorporation.

Proviso

SEC. 4. The said company shall be and are hereby au-

hereby authorised to use the waters of the Mackinaw river, to supply the canal or otherwise, and to make such dams or locks as may be necessary to procure a sufficient quantity of water or otherwise; *Provided*, the said company shall be responsible for all damages sustained by the overflowing of any lands by the owner thereof, and also all damages sustained by the making of dams or locks upon the land of any person or persons whatsoever, and in case the said canal shall cross any public road the same shall be so bridged as not to injure its use.

May use water of river

Proviso

SEC. 5. The said corporation shall have power to purchase, receive and hold such real estate as may be necessary and useful in the accomplishment of the objects of its creation, it shall also be authorised to enter upon and use any and all lands over and upon which the said canal may pass, or so much of said land as may be necessary to the construction of the canal, and the convenient use and enjoyment of the same; also, to take and use timber, stone and such other materials as may be indispensable to the construction and maintenance of said canal; *Provided*, that said company shall pay to the owner or owners of land, entered upon and used as aforesaid, the damages sustained by such owner or owners, and also the owner or owners of timber, stone and other materials, the value thereof, before entering upon and taking the same, and if the said company and owner or owners shall be unable to agree, such damage or value shall be ascertained under and according to the provisions of the act entitled "an act concerning the right of way, and for other purposes," approved 28th February, 1833, one of the directors, or their authorized agent acting as supervisor.

Corporation may hold real estate

Proviso

Damage to be assessed

SEC. 6. The directors of said corporation shall be competent to transact all the business pertaining to the same, and shall have full power to make and prescribe such by-laws, rules and regulations as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate and effects of the said corporation, the transfer of shares, the duties and conduct of their officers and servants, the election of their Presidents and directors; which shall not be more than five nor less than three, and the filling of vacancies in the same, and all other matters whatsoever, which may appertain to the concerns of the corporation, not inconsistent with the laws and constitution of this state and of the United States.

Directors to regulate concerns of company

SEC. 7. The directors shall have power to appoint a secretary and treasurer, engineer, agent or agents, clerks and servants, and to require such security, and appoint such salaries or compensation as to them shall seem meet and proper, and shall appoint the time and place of elec-

May appoint officers and servants

When election held
 Each share of stock entitled to a vote

tions, which, after the first, shall be annual. Within six months after one-fourth part of the capital stock of said company shall have been subscribed, they shall appoint the time of the first election, which shall be at the town of Pekin, in the county of Tazewell, of which thirty days public notice shall be given in some paper of general circulation in said county. At all elections, each share of stock shall entitle the owner thereof to one vote, either in person or by proxy, and the directors shall preside.

Directors to regulate books, stocks, &c.

Sec. 8. The directors shall determine the time, place and manner of opening books, for subscription to the capital stock of said company, or may take such methods to dispose of the same as may to them seem most proper. They shall determine the amount to be paid in on subscription, not exceeding five dollars on each share; and in case an excess of shares shall be subscribed, shall apportion the same as to them shall seem most for the interests of the company. They shall, from time to time, give notice in some paper or papers of general circulation in each state where any shares of said stock may have been subscribed, of the payments required on each share at least four weeks previous to the time appointed for such payments; and when payment is delayed for thirty days thereafter, may forfeit such share or shares to the company, or may cause the same to be sold at auction for the use of the corporation. Asa Lee Davidson, Ira Davenport, and John A. Jones, shall be and hereby are appointed directors from the time this act takes effect, and till others are elected in their stead.

Notice to be given

Directors

Commencement of canal.

Sec. 9. If the said corporation shall not, within five years from the passage of this act, construct the said canal or any part thereof, as shall be deemed expedient by said corporation, then the said corporation shall, from thenceforth and forever cease, and this act be null and void.

Company may negotiate a loan.

Sec. 10. For the purposes of carrying into effect the objects granted by this act, the said company is authorised to negotiate a loan or loans of money, to the amount of its capital stock, and to pledge all its property real and personal, and all its rights, credits and franchises, for the payment thereof.

To keep books

Sec. 11. The company shall at all times keep proper books of account, in which shall be registered all the transactions of the corporation, and the same shall, at all times, be subject to the inspection of the stockholders. And it shall be the duty of the directors to make annually, or at such times as they may direct, dividends of so much of the profits of said company as to them shall seem advisable.

SEC. 12. The total amount of debts which at any time the said corporation shall owe, shall not exceed the amount of their capital stock, and in case of such excess, the directors under whose administration the same shall happen, shall be holden for the same in their natural and private capacities, but this shall not be construed to exempt the corporate property of the company from liability for such excess.

Debts of company not to exceed capital

SEC. 13. The mode of suing the corporation shall be by summons, and a copy of the same delivered to the president, secretary, or treasurer, shall be sufficient service of process to require the corporation to answer, and to authorise any court to proceed to judgment, and the stock of the said corporation, together with all manufactured goods, or other articles, tools, implements, machinery and apparatus of any description used and employed, or on hand, belonging to the said company shall be liable to be seized, executed and sold, after judgment or decree to make good any contract, agreement, or stipulation made by the said company, or any agent or other authorised person or persons of said company.

Form of process to be served on company

SEC. 14. If any person shall wilfully or negligently do or cause to be done any act or acts whatsoever, whereby any building, construction or work of the said corporation, or any boat or other thing pertaining to the same shall be weakened, impaired or destroyed, every such person shall forfeit and pay to the said corporation, treble the amount of damages, sustained, to be recovered by action of debt in the name of the said corporation, in any court or before any justice of the peace, having jurisdiction thereof, with costs of suit; and such person or persons shall be liable to indictment and punishment by fine, or imprisonment.

Persons injuring property, how proceeded against

Liable to indictment

SEC. 15. This act shall be deemed a public act, and shall be favorably construed for the purposes therein expressed, in all courts and places whatsoever, and shall take effect and be in force from and after its passage.

Taken as a public act

APPROVED 27th February, 1837.

AN ACT to incorporate the Essex Steam Mill Company.

In force 27th Feb., 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Ebenezer Noys, and his associates, successors and assigns, be, and they here-

Persons incorporated

Name & style	by are, constituted a body politic and corporate, by the name and style of the "Essex Steam Mill Company," for the more convenient ownership and management of a steam mill, in the county of Shelby, and the transaction of the usual business of companies engaged in milling. And the said corporation, by the said name is declared, and
Capable to sue and be sued To have a seal May make rules	hereby made capable in law, to sue and be sued, to plead and be impleaded, to have a common seal, and the same to renew and alter at pleasure; to make rules and by-laws for the regulation and management of said corporation, consistent with the law of this state, and generally to do and execute whatever by law shall appertain to such bodies politic; <i>Provided</i> , That nothing herein contained shall be
Proviso	considered as conferring on the said corporation any banking privileges; but they shall be confined to the operations directly connected with milling, and the construction of the necessary building and machinery; and each and every stockholder shall be, in his individual capacity,
Stockholders individually liable	liable for the debts and performance of all contracts entered into by said corporation, to the amount of the balance unpaid on the stock of such stockholders.
Power to hold property	SEC. 2. The said corporation shall have the right to hold, possess and enjoy, not exceeding ten acres of tillage land, and two thousand acres of timber land; and the whole of
Capital stock Shares	the capital stock shall not exceed in value the sum of twenty thousand dollars, and shall be divided into shares of one hundred dollars each; which capital shall be employed in purchasing and holding the land aforesaid, and in constructing and employing buildings, and such improvements and machinery as may be necessary or useful in milling.
Members to have certificate of their shares	Every member of said company shall have a certificate, under the seal of the corporation, and made and attested in such manner and form as the by-laws shall direct, certifying his property in the share or shares owned by him; and the stock of said company shall, in the nature of personal property, be assignable and transferrable according to
And assignable	such rules as the board of directors shall establish, and no stockholder, indebted to the company, shall be permitted to make a transfer or receive a dividend, until such debt is discharged, or security given for the same, to the satisfaction of the directors.
Certificate of stockholders indebted to company not assignable without security	SEC. 3. For the management of the affairs of the said corporation, there shall be chosen from the stockholders, five directors, who shall hold their offices for one year, or until superseded by others. Thirty days previous notice, by publication, once a week for one month, in the newspaper in or nearest to the town of Essex, in the county of Shelby, shall be given of the first election of directors; and there shall be annually thereafter a like election of directors, at the
Directors to be chosen	
Term of service Notice of election, and to be held annually	

town of Essex; in all such elections for directors, every five shares shall be entitled to a vote, whether they be held by an individual or individuals; which vote may be given by the holders or by proxy duly authorized under seal, and a majority of the shares shall be necessary to a choice of directors, or to the transaction of any business which may concern the company and come before the stockholders.

SEC. 4. A majority of the directors shall form a quorum to transact business, and they shall meet within thirty days from the time they shall have been chosen at Essex, and choose by ballot, one of their number for president, who shall serve for one year, or until superseded by a new election; and there shall be annually after the said election a like election at Essex by the directors for the time being, of a president for said corporation. The said directors shall also have power to choose and appoint such other officers and agents, to conduct and prosecute the business of said corporation, as they shall deem necessary and proper; and they shall also have power, for good cause to be entered, together with the proof thereof, in their minutes, to remove the president of said company from office. The said directors shall cause to be kept duly recorded, in books to be provided and kept for the purpose, minutes of all their proceedings, and regular accounts of their transactions, as also minutes of the proceedings of the stockholders at each of their meetings; which books may at any time be inspected by any of the stockholders. The said directors shall have power to supply any vacancy which may occur in the office of president, or in their own body, and the president or director thus appointed shall hold his office until the next annual election of such officers.

SEC. 5. The directors may, from time to time, at any meeting, assess and require payment of such sum of money, not exceeding fifty per centum upon each share of stock, as shall be judged necessary for the purposes of the corporation, to be paid at Essex, to such person as the said directors may designate and authorize to receive the same; and if after publication of notice once a week for two months in the newspaper at or nearest to Essex, of the time of payment, and of the person appointed to receive the same, of any proportion or instalment of said capital stock, any stockholder shall fail to pay his instalment at the time specified in said notice, the amount paid by such delinquent stockholder previously, shall be forfeited to the company, and his stock may be sold to any person, for such price as may be agreed upon between the said company and the purchaser.

SEC. 6. The stock of said company shall pass in the

Manner of voting

Quorum

Quorum

When to meet, and to choose president

Elections to be held annually, and where

Corporation may appoint officers

Powers

To keep a record, and what it shall contain

May fill vacancies

May require payment of stock

To give notice thereof

Stock to pass as

personal estate same manner as personal estate, to the representatives of each stockholder.

How process may be served on corporation **SEC. 7.** Service of process on the president of said company, shall be deemed and taken as sufficient service on the corporation, in any suit which may be instituted against it; and for any violations of any of the provisions of this act, the said incorporation shall be held to answer, by scire facias, in the Shelby county circuit court; and if, upon the trial thereof, it shall appear that such violations have been committed, and it shall be so found, the said court may and shall give judgement revoking this charter. Any such proceedings by scire facias, for such violations, shall be instituted and prosecuted in the name of the people of the state of Illinois, against the said corporation.

APPROVED 27th Feb. 1837.

In force 27th Feb., 1837. **AN ACT** supplemental to an act to incorporate the Chicago and Vincennes Rail Road Company, approved Jan. 17, 1835.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the third section of the act to which this is a supplement, be, and the same is hereby repealed; and if the corporation by that act created, shall not within three years from the first day of January next, commence the construction of the road provided for by said act, and expend at least the sum of twenty-five thousand dollars thereon; and shall not, within eight years from the last mentioned time, construct, finish and put in operation, the single or double rail road, then the said corporation shall thenceforth forever cease, and this act, and the act to which this is a supplement, be null and void.

APPROVED 27th Feb. 1837.

In force Feb. 27th, 1837. **AN ACT** to incorporate the Carrollton and Bluffdale Rail Road or Turnpike Company

Persons incorporated. **SEC. 1.** *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Lewis W. Link, Lindsey H. English, Ward Eldred, Jourdan Calvin, Robert B. Scott, Samuel Shryock, Henry Merriweather, Robert L. Hill, Hiram Keach, T. Fry, James Reno, William

B. Pregram, David Pierson, and Elias Eldred, and all such persons as shall become stockholders agreeably to the provisions of this act, shall be and they are hereby constituted a body corporate by the name of **The Carrollton and Bluffdale Rail or Turnpike road Company**, and shall continue for the term of fifty years from and after the passage of this act. Name.

SEC. 2. The corporation shall have the right and power to construct, and during its existence to maintain and continue a single or double rail road or turnpike road, or a single or double track way, with such appendages and appurtenances as may be necessary for the convenient use of the same, from Carrollton in the county of Greene, and running thence to the town of Bluffdale in said county, and thence to the Illinois river, if said company shall wish so to extend said road it shall be lawful for them so to do; to transport, take, and carry persons and property on the same, by the power and force of steam, animals, or any mechanical or other power or by combination of them, as said company shall choose to employ; or if said company shall construct a turnpike road as empowered in this act, they shall have power to construct and erect such toll gates, and receive such tolls as may be fixed by said company, *provided*, Said company shall not collect tolls on said road, unless said road or that part for which they exact toll, shall have been completed, and by the name aforesaid, they are invested with the right and privilege of erecting, building and making a single or double rail road or way, or single or double track way, or a turnpike road for the purposes aforesaid, and the right of using the same, in the manner hereinafter provided for, and during the term of fifty years. Powers.

SEC. 3. If the said corporation hereby created, shall not within four years from the passage of this act, commence the construction of said road or way, and spend at least ten thousand dollars thereon, and shall not within eight years from the passage of this act, construct, finish, and put in operation the said single or double rail road or way, or track way, or turnpike road, then the said corporation shall forever cease, and this act shall be null and void. May erect toll gates.

SEC. 4. The capital stock of said corporation hereby created, shall be one hundred and fifty thousand dollars, with liberty for said company if they shall deem it necessary, to increase the same to two hundred thousand dollars, which shall be divided into shares of fifty dollars each, which shall be transferable in such manner as said corporation may direct, and the same shall be deemed personal property. Building.

SEC. 5. That Lewis W. Link, Lindsey H. English,

When to be commenced &c

And when finished.

Capital stock.

Shares.

Commissioners to open books. Ward Eldred, Jourdan Calvin, Robert B. Scott, Samuel Shryock, Henry Merriweather, Robert L. Hill, Hiram Keach, Jacob Fry, James Reno, William B. Pegram, David Pierson, Elias Eldred, shall be commissioners the duty of whom, or any five of whom it shall be, within one year from the passage of this act, at the town of Carrollton, to open books and receive subscriptions to the capital stock of said corporation, and twenty days public notice of the time and place of opening such books shall be previously given in some newspaper printed in Carrollton, Jacksonville or Alton, and the said commissioners shall at the time of subscription by any person or persons, for the capital stock of said corporation, require the payment to them by the person or persons subscribing, of five dollars towards and upon, every share of fifty dollars so subscribed, and unless the same shall be paid, the subscription shall be invalid, and in case a greater amount of capital stock shall be subscribed for than one hundred and fifty thousand dollars, the said commissioners may either retain the subscriptions as an enlargement of the capital stock: *provided*, Said subscription does not exceed two hundred thousand dollars, or shall distribute the stock in such manner as a majority shall deem most advantageous to the interest of said corporation; but in case the capital stock shall not be subscribed for, then the said commissioners shall be authorised to re-open said book for the subscription of stock, at such times and places and in such manner, and after such notice, as they or a majority of them shall direct.

For subscription and notice

Proviso.

When stock subscribed meeting to be held and notice thereof.

Where held, election of directors and how held.

SEC. 6. Whenever said capital stock shall have been subscribed and distribution made thereof as aforesaid, or as soon as twenty-five thousand dollars of said stock shall be taken, it shall be the duty of said commissioners to give twenty days public notice in some newspaper printed in Carrollton, Jacksonville or Alton, for a meeting of the stockholders of said company to meet in Carrollton, to choose nine directors, and such election shall then and there be made by such of the stockholders, as shall attend either in person or by lawful proxy, each share of the capital stock owned ten days previous to the day on which any election for directors shall take place, shall entitle the owner and holder to one vote, either personally or by proxy, said commissioners shall be inspectors of the first election of directors of said company, and shall certify under their hands, the names of those duly elected, and deliver over the subscription, money, books, and papers to said directors, and the time of holding the first meeting of the directors shall be fixed by the said commissioners.

SEC. 7. The said directors shall cause such examinations and surveys for the said rail road, track way, or

turnpike road to be made as may be necessary to the selection by them of the most advantageous line, course, or way for the said road on the route set fourth in the second section of this act, and shall, after such examinations and surveys shall be made, select, and by certificates under their hands and seals, designate the line, course, of way which they or a majority of them shall deem most suitable and advantageous for said road. One report, survey courses, and distances, with a certificate of the directors annexed thereto, shall be filed in the office of the recorder of Green county, and by him recorded and preserved, which line, course, or way so selected, certified, filed, and recorded, shall be deemed the line, course, or way on which the corporation shall construct, erect, build, or make the rail road, track way, or turnpike road as above described.

Examinations and survey to be made.

Reports to be made and filed and where.

SEC. 8. The first directors to be chosen, shall hold their office until the first Monday in June in the year next succeeding their election, and until others shall be chosen; and every election of directors thereafter, shall be held annually at Carrollton, on the first Monday of June in each and every year, notice of the same being first given twenty-days previous thereto, in a public newspaper printed in Carrollton or Jacksonville, or by sticking up notices of the same, in several of the most notorious places in Green county. Every election shall be held under the inspection of three stockholders not being directors, who shall be previously appointed by the board of directors. All elections shall be held by ballot, and a plurality of votes given shall constitute a choice. No stockholder shall be eligible to the office of director, unless he shall own stock to the amount of at least one hundred dollars. In case an equal number of votes shall be given to any two or more for directors; the remainder of the directors shall by ballot determine who shall be entitled to a seat at the board.

Term of service.

Elections when held & where.

Manner of voting.

SEC. 9. In case it should at any time happen that an election of directors shall not be made on any day when pursuant to this act it ought to have been made, the said corporation shall not for that cause be dissolved, but such election may be held at any other time, directed by the by-laws of the corporation, within sixty days after the day it should have been held, and the directors shall continue to act until a new board is elected.

When election not held on the day specified.

SEC. 10. The corporation is hereby empowered to purchase, receive, and hold such real estate as may be necessary and convenient for the accomplishing the object for which this act of incorporation is granted, and may by their agents, surveyors and engineers enter upon and take possession of, and use all such lands and real estate, and

Power to hold lands.

May enter upon lands.

May receive grants.

Lands entered upon how price determined.

Damages how assessed.

Appeals allowed and proceedings thereon.

Proviso.

materials as may be indispensable for the construction and maintenance of their road, and the accommodations and appurtenances required and appertaining thereto, and may also receive, hold, and take all such voluntary grants and donations of lands and real estate, and materials for the purposes of said road, as shall be made to the said corporation by the general or state government, or by any corporation, company, individual, or individuals, to aid in the construction, maintenance and accommodation of the said road, completely vesting in said company and corporation, absolutely in fee simple the same: but all lands and real estate thus entered upon for materials or otherwise, which are not donations or owned by the company, shall be purchased by the said corporation of the owner or owners thereof, at a price to be agreed on mutually by the company and the owner or owners. In case of disagreement as to price and before taking any materials or making any part of said road on said land in controversy, it shall be lawful for the commissioners, superintendent, or other authorised person or persons of said company, to apply to some justice of the peace of the county of Green, who shall cause five freeholders to be summoned, who after being sworn faithfully and impartially to examine the materials or ground to be pointed out to them by the commissioner, superintendent, or other authorised person or persons, and reasonable notice having been given to the owner of the property, said freeholders shall assess the damages which they shall believe such owner or owners will sustain, over and above the additional value which such land will derive from the construction of such road, and make a report signed by at least a majority of them, one of which they shall deliver to the commissioner, superintendent, or other authorised person or persons requiring said view and assessment, and the other to the justice of the peace, and the amount of damages and costs being paid to the owner or owners which shall have been assessed or deposited with the justice of the peace, the road may be constructed, located, and materials taken. If either party shall be dissatisfied with the valuation when lands are in question, an appeal may be taken in twenty days to the circuit court of Green county by petition, stating the facts of the case, describing the land and premises, and the necessity of such land for making such road and the attempts and failure to purchase the same, with the name and residence of the owner of the same, and the reasons why the purchase cannot be made; and the circuit court aforesaid, acting and setting as a court of chancery, shall direct such notice to the owner and parties as shall be deemed reasonable, of the time of hearing the parties; *provided*, That in case the ap

pellee shall have had seven days previous notice of the taking of the appeal, no further notice shall be necessary, but said court shall proceed to hear and determine said case as speedily as possible, and upon proof of the service of notice of the appeal, and upon hearing the testimony of the parties, which may be taken orally or by deposition, it shall make such order and decree as to it may seem proper and equitable, and may seem proper and equitable, and may either increase or diminish the amount of damages assessed, or reject said petition altogether; and shall also make such orders for the payment of such costs as may be just and pro, er. It shall also order a conveyance of the land in controversy to be made when the decree shall be complied with on the part of the corporation. Whenever said order and decree shall be fully complied with on the part and behalf of said corporation, it shall be possessed of the land in controversy, and may enter upon and take possession of, and use the same for the purposes of said road. When a difficulty as to the value of materials which may be needed to construct said work, or the amount of damages done to land by the agents of the company, there shall be no appeal to the circuit court, but in case the parties or either of them shall be dissatisfied, and it shall appear to the justice that it is right and necessary to justice, he may set aside the first valuation, *provided*, The same shall be done in three days after said valuation, and appoint five other commissioners to appraise and value the materials as aforesaid, whose award in the premises shall be final, who shall apportion the costs as may appear just on one or both of the parties.

Cases where justice may set aside valuation and proceedings thereafter.

SEC. 11. In case any married woman, infant, idiot, or insane person, or non resident of the State, who shall not appear after such notice, shall be interested in any such land or real estate, the circuit court or justice of the peace shall appoint some competent and suitable person to appear before said commissioners or said circuit court, and act for and in behalf of such woman, infant, insane person, idiot, or non-resident of the State.

When lands belong to infants, in any persons, or non-residents &c how to proceed.

SEC. 12. The said corporation is hereby authorized and empowered to regulate the time and manner in which goods, passengers, and property, shall be transported, taken, and carried on said road, and shall have power to erect and maintain toll gates and toll houses, and other buildings necessary for the accommodation of their concerns, and from time to time fix, regulate, demand, and receive the tolls, and the charges by them to be received for transportation of persons or property on said road.

Corporation, may regulate, and manner of conveying passengers. May erect toll gates &c.

Tolls.

SEC. 13. Five directors of said corporation shall form

- Five directors may form board and power to make rules and by-laws.** a board, and they or a majority of them shall be competent to transact all business of said corporation; and they shall have full force and power to make and prescribe all such rules, by-laws, and regulations as to them shall appear needful and proper, touching the management and disposition of the stock, property, and estate of the said corporation, the transfer of shares, and touching the duties and conduct of their officers and agents and election of directors, and all other matters whatsoever, which may appertain to the concerns of said corporation. It shall also be lawful for said directors to require payment of the sums to be subscribed to the capital stock, at such times and in such proportions, and on such conditions as they shall deem fit and right, under the penalty of the forfeiture of all previous payments thereon, and shall give notice of the payments thus required, and of the place and time, when and where the same are to be paid, at least twenty days previous to the payment of the same; in some public newspaper published in Jacksonville, Alton, or Carrollton.
- May require payment on shares.**
- Penalty for non payment.**
- Penalty for obstructing or injuring works**
- How recovered**
- Road may be continued from Bluffdale to Illinois river & construct a canal.**
- May unite said road with any other and how.**
- SEC. 14.** If any person or persons shall willfully do or cause to be done any act or acts whatsoever, whereby any building, construction, or work of the said corporation, or any engine, machine, or structure, or any matters or things pertaining to the same, shall be stopped or obstructed, impaired, weakened, injured, or destroyed, the person or persons so offending, shall forfeit and pay to the said corporation, treble the amount of damages sustained by means of such offence or injury, to be recovered in the name of said corporation with costs of suit, by action of debt, and shall likewise be subject to be indicted for injuries and offences against the property of said corporation, as for injuries or offences done to the property of individuals.
- SEC. 15.** If said company shall wish to continue the road from Bluffdale to the Illinois river, it shall be lawful for them so to continue said road, but if they should not wish so to continue said road, they are hereby authorised and vested with full power to construct a canal from Bluffdale to the Illinois river.
- SEC. 16.** It shall be lawful for any rail road company that is now or may hereafter be incorporated, to open and unite with the rail road track-way, turnpike road, hereby created and incorporated at any point at which the directors of the company hereafter to be created and incorporated may think advisable, on such terms as the directors of the two companies may respectively agree upon, and in case of a disagreement between the directors of said companies, then upon such terms as the court of Greene county, shall upon a full view and hearing of all

facts connected with the case, determine to be equitable and just between said companies.

SEC. 17. The corporation hereby created under the name of the Carrollton and Bluffdale rail road or turnpike road company, shall have the right to sue in any court in law or equity in this State having jurisdiction of the case, and prosecute the same to judgment and recovery, and defend when sued, plead and be impleaded, both at law and in chancery, and shall be entitled to all the privileges and rights which such a corporation by the common or statute laws governing the case, ought, and should of right have, and may have a common seal, which they may alter and change at their pleasure. The whole of the stock of the corporation shall be deemed personal property, and together with all tools, implements, machinery, and apparatus of every description used and employed, or on hand and belonging to said company, shall be liable to be seized, executed, and sold after judgment or decree, to make good any contract, agreement, or stipulation made by any agent surperintendent, or other authorised person or persons of said company, and it shall be a sufficient service of process or notice in all cases to leave a copy of the same [with] the president of the board of directors or the secretary of the company, or in case of his absence from the county of Greene, to leave a copy of the same at the office thereof.

Powers of corporation.

May have a common seal. Stock deemed personal property.

Service of process.

SEC. 18. This act to be a public act, and shall be favorably and liberally construed in every particular.

Act how to be construed.

SEC. 19. The legislature hereby reserves the right to alter, amend, or repeal this charter, whenever the public good shall require it.

APPROVED 27th Feb., 1837.

AN ACT to incorporate the Little Rock Academy.

In force 27th Feb. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Elish H. Hazard, Chancery G. Woodruff, Adam R. Hamilton, Joshua T. Atkinson, A. S. Bergen, William D. Dudley, James Matthers and S. M. Kilgore, and their successors, be, and they are hereby created a body politic and corporate, to be styled and known by the name of the "Trustees of the Little Rock Academy," and by that style and name to remain and have perpetual succession. The said Academy shall be and remain at or near Little Rock, in the county of Whiteside and State of Illinois. The

Persons incorporated

Style & name, & to have perpetual succession Where Academy to remain

No. of trustees number of trustees shall not exceed twelve, one of whom
President shall be president of the Board, to be chosen by the trustees; for the present the above named individuals shall constitute the board of trustees, who shall fill the remaining
thereof, how
chosen
Vacancies, how
filled

SEC. 2. The object of said corporation shall be the promotion of the general interests of education.

Powers

SEC. 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said object, and such as are usually conferred on similar bodies corporate, to wit: to have perpetual succession; to make contracts; to sue and be sued, plead and be impleaded; to grant and receive by its corporate name, and to do all other acts as natural persons may; to accept, acquire, purchase or sell property, real or personal, or mixed, in all lawful ways; to use, employ, manage and dispose of all such property, and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the objects before mentioned; to have a common seal, and to alter or change the same; to make such by-laws for its regulation, as are not inconsistent with the constitution and laws of the United States or of this State; and to confer on such persons as may be considered worthy, such academical or honorary degrees as are usually conferred by similar institutions.

To have succession
May sue, &c.

May hold property

May have a common seal
May make by-laws.
Confer degrees

Regulate studies
Fix rates of tuition
Appoint instructors, &c.

And may remove them

And may make rules

SEC. 4. The trustees of said corporation shall have authority from time to time to prescribe and regulate the studies to be pursued in said Academy; to fix the rate of tuition, and other academical expenses; to appoint instructors and such other officers and agents as may be necessary in managing the concerns of the institution; to define their duties; to fix their compensation, and to displace or remove them; to erect necessary buildings; to purchase books, chemical and philosophical apparatus, and other suitable means of instruction; to make rules for the general management of the affairs of the institution, and for the regulation of the conduct of the students.

Power to fill vacancies

A majority a quorum

SEC. 5. The trustees, for the time being, in order to have perpetual succession, shall have power to fill any vacancy which may occur in the board from deaths, removal, resignation, or any other cause. A majority of the trustees, for the time being, shall be a quorum to do business.

Treasurer to be appointed, who shall give bond and security
Penalty and condition

SEC. 6 It shall be the duty of said trustees to appoint one of their number treasurer to the board, who shall be required to give bond with sufficient security, in such penal sum as the board may prescribe, conditioned for the performance of such duties as the by-laws may require of him.

Intitution to be open to all de-

SEC. 7. The said institution shall be open to all denom-

inations of christians, and the profession of any particular religious faith shall not be required of those who become students; all persons, however, may be suspended or expelled from said institut'on by the trustees thereof, whose habits are idle or vicious, or whose moral character is bad.

nominations of christians
May suspend or expel

SEC. 8. The lands, tenements and hereditaments, to be held in perpetuity by virtue of this act, by said corporation, shall not exceed six hundred and forty acres; *Provided, however,* That if any donations, grants, [or] devises in land, shall, from time to time be made to said corporation, over and above the six hundred and forty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said corporation, for the period of five years from the date of any such donation, grant, or devise; at the end of which time, if the said land shall not have been sold by the said corporation, then, and in that case, the said lands, so donated, granted or devised, shall revert to the donor, grantor, or heirs of the devisor of the same.

What amount of lands may be held
Proviso

If lands not sold to revert

APPROVED 27th February, 1837.

AN ACT to incorporate the Beardstown Improvement Company. In force Feb. 27th, 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That O. M. Long, B. W. Schneider, Henry Kimball, E. Tull and T. Hoffman, and their associates and successors, be, and they are hereby constituted a body politic and corporate, under the name of the "Beardstown Improvement Company;" and by that name shall have power to contract and be contracted with, and may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts having competent jurisdiction; and shall be vested with all powers and privileges necessary to the object of their incorporation, as hereinafter defined.

Company incorporated

Name

May sue & be sued

Other powers

SEC. 2. The capital stock of said company shall be five thousand dollars with power to increase the same to any sum not exceeding ten thousand dollars, at the pleasure of said Company; which stock shall be divided into shares of twenty-five dollars each, and which shall be transferrable in such manner as said corporation may direct, and the same be deemed personal property.

Capital stock
May be increased

Shares

Deemed personal property

SEC. 3. The said corporation shall have the right to hold, possess, and enjoy, not exceeding at any one time two thousand acres of land, which may be obtained by purchase, voluntary grants and donations; and also the

Corporation may hold land and sell

Powers of corporation	right to sell or lease, any or all such lands obtained; to convey and execute deeds for the same; and for the purpose of improving any lands of said corporation by dams, drains or ditches, they shall have a right to enter upon any lands, and carry said dams, drains or ditches across;
Shall pay damages	<i>provided</i> , that they shall pay all damages that may be sustained to the owner or owners of such lands entered upon;
Proviso	<i>Provided, however</i> , That said company shall not purchase or own any land more than six miles from Beardstown; nor shall said company purchase any tract of land unless some part of the same is subject to overflow, or is what is called swamp land.
Concerns managed by directors	SEC. 4. The concerns of said corporation shall be managed and controlled by five directors, who shall be chosen annually by the stockholders or their proxies, by ballot;
Votes	each share of stock shall entitle to one vote, and the five persons receiving the highest number of votes shall receive from the inspectors of the election a certificate declaring them duly elected. The directors so chosen shall proceed to elect, from among their own number, a president, and appoint a secretary and treasurer. The directors, or a majority, shall form a quorum to do business, and have power to make by-laws and regulations, employ such agents and persons as may be necessary for improving the lands owned by the company, and for all other improvements that may be deemed useful and advantageous by said directors; <i>Provided</i> , Their by-laws and regulations shall not be repugnant to the constitution and laws of this state.
President	
Quorum	
By-laws	
Proviso	
Books of subscription how, when, and by whom opened	SEC. 5. That O. M. Long, B. W. Schneider, Henry Kimball, Edward Tull and T. Hoffman, shall be commissioners, the duty of whom, or a majority of them, shall be to open books of subscription to the capital stock of said company, within one month after the passage of this act, giving ten days public notice in the town of Beardstown; and whenever the whole of the stock, or one thousand dollars thereof, shall have been subscribed, the commissioners shall give a like notice to the stockholders for the purpose of choosing five directors, designating the time and place of such election; the commissioners shall act as inspectors at the first election; no person shall be eligible as a director unless he is a stockholder previous to the election; no subscription of stock shall be received unless five dollars be paid at the time of subscription. The subscription books, and the amount received by the commissioners, shall be delivered within six days to the board, after the directors have been chosen.
\$5 to be paid at time of subscription	
Books delivered to board	
Duty of board	SEC. 6. The board of directors shall keep proper books of accounts, in which all the transactions of the company

shall be registered, and the same shall be open for the inspection of the stockholders. The directors shall have the power to demand, from time to time, the payment for stock subscribed, and in case a failure of payment may dispose of such stock, either by sale, or have the same forfeited to the company. It shall be the duty of the directors, as there shall have been funds received from sales made, rents or leases, to make annual dividends; and they shall, whenever required by a majority of the stockholders, exhibit at a general meeting, a full and true statement of the affairs relating to said company.

Directors may demand payment of stock subscribed Upon failure to pay may be sold
Dividends. Statements; how made

SEC. 7. All deeds for real estate or otherwise, shall be made to the president and directors of the "Beardstown Improvement Company;" and all conveyances or contracts made by the corporation, shall be signed by the president and countersigned by the secretary, and shall be considered valid in law.

Deeds for real estate to be made to President & directors
Contracts, how signed & countersigned

SEC. 8. The stock not disposed of at the first opening of the books by the commissioners, may at any time after be subscribed for under the direction of the board of directors, in such manner as a majority of them shall direct.

Stock not disposed of may be subsequently subscribed
Public act

SEC. 9. This act is hereby declared public, and shall take effect from and after its passage, and be and remain in force for the term of ten years.

APPROVED 72th Feb., 1837.

AN ACT to construct the Grand Pass Canal.

In force 28th Feb. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly,* That all persons who shall be stockholders pursuant to this act, are hereby constituted a body corporate by the name of the "Grand Pass Canal Company."

Constituted a body politic & corporate.

SEC. 2. The said corporation shall have the right to construct, and during its existence to keep in repair, a canal from the Illinois river, near the town of Bridgeport in Morgan county, to the Grand Pass in the county of Greene.

Canal to be kept in repair.

SEC. 3. The capital stock of said corporation shall be thirty thousand dollars, and divided into shares of twenty five dollars each, which shall be deemed personal property, and transferrable in such manner as the said corporation shall by their by-laws direct.

Amount of capital stock.

SEC. 4. That John Thompson, David Hodges, Charles Gregory, Henry, M. Blanchard, and Dennis — [Hoagland]

Commissioners to receive subscriptions, and Chester Swallow, are hereby appointed commissioners to receive subscriptions for the capital stock of said corporation, and after having given twenty days public notice in writing, in three public places in the county of Greene, and also in three public places in the county of Morgan, and upon the door of the court house of said counties, shall meet at the hotel in the town of White Hall in Greene county, and open books for subscription to said stock, and shall keep them open for ten days successively, unless the whole stock shall be sooner taken, when they may close the same, and after the said stock shall be subscribed, the said commissioners shall apportion the same among the stockholders on equitable and just principles.

Stock apportioned.

Meeting of stockholders.

Term of office.

Officers appointed.

May hold real estate.

Appraisers appointed to assess damages.

Inquest returned to court, &c. Damages to be paid.

SEC. 5. After said stock shall have been apportioned, the aforesaid commissioners shall call a general meeting of the stockholders, to meet at such time and place as they may appoint, giving ten days previous notice of such meeting, for the election of five directors, who shall continue in office for the term of one year and until others are elected to supply their places, who shall be stockholders. Said stockholders shall be entitled to one vote for each share of stock they may have subscribed, and the said commissioners shall give the individuals chosen directors, certificates of their election.

SEC. 6. The said directors shall have power to appoint or elect one of their number president of the board of directors, also a secretary and treasurer, and such other officers as they may deem necessary.

SEC. 7. The said directors shall in the name and style of this corporation, be enabled to hold real estate sufficient for the purposes of this incorporation, and to effect the objects herein intended, either by donation or by purchase; and if individuals should refuse to sell or donate as much land as may be necessary for the use of said canal, and for the feeders, and for the necessary accommodation of the agents of said corporation, the said directors may apply to the county commissioners court of Greene county, for the appointment of three disinterested appraisers who shall proceed to the place, after being sworn, and view the lands wanted by said corporation for its accommodation as aforesaid, and shall value and appraise the same, and return an inquest under their hands and seals, to the said county commissioners' court, which inquest shall be filed with the clerk of said court; and when the said directors shall pay to the owner or owners of such land the appraised value of such land appraised as aforesaid, and deposite the same with the clerk of the county commissioners' court, for the use of the owner of such land, then the said corporation shall be immediately inves-

ted with the complete occupancy of said land, and shall hold the same exclusively against such owners and all other persons during the existence of this incorporation.

SEC. 8. The corporation shall be authorized to use the water of Little Sandy creek; also the natural springs along the bluff, and the water of the slough for the purpose of supplying said canal with water sufficient for that purpose, and shall have all the usual and incidental power belonging to corporations, for the purpose of constructing, finishing, and using such canal, and of exacting reasonable tolls for the use of the same, by other persons; also, of passing all such by-laws, rules and ordinances, for the due regulation of the affairs of said company, but no banking privileges whatsoever.

Additional powers.

Collect tolls.

SEC. 9. The said corporation shall continue to be a body corporate and politic for the term of twenty five years.

In force 20 years.

SEC. 10. Nothing in this act contained, shall be considered as conferring any powers whatsoever on the said corporation, but the power to construct the canal aforesaid, and all the means direct and incidental to accomplish that object, the repairs of the work and the use of the same, and the exercise of all the privileges and advantages appertaining to the same.

Powers limited

APPROVED 28th February, 1837.

AN ACT to incorporate the Jacksonville Mechanic's Union.

In force, 27th Feb. 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That A. W. Newcomb, S. S. Brooks, B. R. Houghton, James G. Edwards, R. T. McKneely, A. W. Norris, Willim Davis, John Henry, C. Leedham and James Johnson, and their associates and successors be, and they are hereby constituted a body politic and corporate, under the name of the Jacksonville Mechanics' Union, for the purpose of affording relief to the sick and disabled members thereof, and to the widows and orphans of deceased members, and for the promotion of literature, science and the mechanic arts, and for no other purpose whatever.*

Persons incorporated.

SEC. 2. The said corporation by the name of the Jacksonville mechanics' union, is declared and hereby made capable in law to sue and be sued, plead and be impleaded; to have a common seal, and the same to alter or renew at pleasure, to make and adopt a constitution and by-laws for the government of the corporation, not inconsistent

Name.

Powers.

May make a constitution.

May alter or amend it. Proviso. with the laws of this state or the constitution of the United States, and the same to alter or amend whenever it may be deemed necessary; *provided*, that the said corporation shall not hold more than five acres of land with the improvements thereon, for a longer term than one year, except such as may be donated to, and for the sole use and behoof of the corporation.

Officers and term of service SEC. 3. The officers of this corporation shall consist of a president, vice president, secretary, treasurer and a board of seven directors, who shall continue in office for the term of one year, and until their successors are elected, together with such other officers as may be provided for by the constitution and by-laws of the corporation; the duties, rights, privileges and liabilities of the aforesaid officers to be defined by the constitution, and by laws of said corporation.

Fines for non-attendance, & how recovered. SEC. 4. All fines and forfeitures for non-attendance, delinquency imposed by the constitution and by-laws, provided for in the second section of this act, not exceeding twenty five dollars, shall be recoverable by action of debt, before any justice of the peace of the proper county, by the said company in their corporate capacity, which shall be for the use of the corporation.

SEC. 5. This corporation shall not be dissolved nor a dividend made of its funds, while there are seven resident members in favor of its continuance.

SEC. 6. The Legislature hereby reserve the right to amend or repeal this act, whenever in their opinion the public good may require it.

SEC. 7. This act to be in force from and after its passage.

APPROVED February 28th, 1837.

in force 28th
February 1837

AN ACT to incorporate the town of Grafton.

**boundaries de-
-ed** SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly*, That the following is hereby declared to be the boundaries of the town of Grafton, in the county of Greene; that is to say, all of the town, including the additions which is at present laid off into town lots, and the plats of the same recorded in the recorder's office of said county; and the inhabitants of said town, and all within said boundaries, shall be and they are hereby constituted a body politic and corporate, by the name and style of "The President and Trustees of

the town of Grafton;" and by that name they and their successors shall be known in law, have perpetual succession, sue and be sued, plead and be impleaded, defend and be defended, in all courts of law or equity, and in all matters of action whatsoever; may grant, purchase, and receive and hold property, real or personal, within the said town, and no other, (burial ground excepted;) and may lease, sell, and dispose of the same for the benefit of the town; and may lease any of the reserved lands which have been appropriated by the original proprietors to the use of said town; and may do all other acts as natural persons; may have and use a common seal and break and alter the same at pleasure.

SEC. 2. The corporate powers and duties of said town shall be vested in seven trustees, (to be chosen and appointed as hereafter directed,) who shall elect one of their own number president, and shall form a board for the transaction of business.

SEC. 3. The members, composing the board of trustees, shall be elected by the persons residing within said town and incorporated limits, (qualified to vote for a representative to the legislature,) to serve for one year. They shall be at least twenty-one years of age, citizens of the United States, and inhabitants of said incorporate limits.

How trustees to be elected

SEC. 4. The board of president and trustees shall appoint all officers of their board, and shall be judges of the qualifications, elections, and returns of their own members. A majority shall constitute a board to do all business; but a small number may adjourn from day to day; may compel the attendance of absent members in such manner and under such penalties as the board may provide. They may determine the rules of proceedings, punish their members for disorderly conduct, and by the concurrence of two-thirds of the whole number elected expel any member and make such other rules and by-laws for their own government as to them may seem proper and expedient.

Board to appoint officers and be judges of election

SEC. 5. The board of trustees shall have power, by ordinance, to levy and collect taxes upon all real estate within the town and limits of the corporation, not exceeding one half of one per centum upon the assessed value thereof, except as hereafter excepted; to make regulations to secure the general health of the inhabitants; to prevent and remove nuisances; to establish night watches, erect lamps in the streets, and light the same; to provide for licensing public shows; to restrain and prohibit gaming houses, bawdy houses, and other disorderly houses; to establish and repair bridges; to establish and regulate

Their powers

markets; to open and keep in repair streets, avenues, lanes, alleys, drains, and sewers, and keep the same clean; to provide for the prevention and extinguishment of fires; to dig wells and erect pumps in the streets for the convenience of the inhabitants; to regulate the police of the town; to regulate the election of the town officers, and fix their compensation; and from time to time to pass such ordinances, as to carry into effect the objects of this act and the powers hereby granted as the good of the inhabitants may require, and to impose and appropriate fines and forfeitures for the search of any ordinance, and provide for the collection thereof; and that in all cases arising under this act, growing out of the by-laws and ordinances made in pursuance of this act of incorporation; any justice of the peace within the corporation shall have jurisdiction to hear and determine the same, and an appeal may be taken, and writs of certiorari allowed from any such decision in the same manner as now is or hereafter may be provided by law for appealing from judgments of justices of the peace.

May lay a special tax

SEC. 6. That upon the application of the owners of two-thirds of the front of the lots on any street or parts of a street, it shall be lawful for the board of trustees to lay and collect a special tax on the owners of the lots on said street or parts of a street, according to their respective fronts, for the purpose of grading and paving the side walks on said street.

Additional powers

SEC. 7. The board of president and trustees shall have power to regulate, grade, pave, and improve the streets, avenues, lanes, and alleys within the limits of said town and corporation, and to extend, open, and widen the same, making the persons injured thereby adequate compensation, to ascertain which the board shall cause to be summoned twelve good and lawful men, freeholders and inhabitants of said town not directly interested, who, (being first duly sworn for that purpose,) shall inquire into and take into consideration as well the benefits as the injury which may accrue, and estimate and assess the damages which would be sustained by reason of the opening, extension, widening of any street, avenue, lane, or alley; and shall moreover estimate the amount which other persons will be benefitted thereby, and shall contribute towards compensating the person or persons injured, all of which shall be returned to the board of president and trustees under their hand and seals; and the person who shall be benefitted and so assessed shall pay the same in such manner as shall be provided, and the residue, if any, shall be paid out of the town treasury.

SEC. 8. All ordinances shall, within one month after they are passed, be published in some newspaper published in or near the place, or be posted up in four of the most public places in said town for two weeks at least before taking effect. Ordinances to be published

SEC. 9. That, when any real estate in said town of Grafton shall have been sold by the authority of the corporation thereof, the same shall be subject to redemption in the same manner as is provided by the authority of this State. Real estate sold may be redeemed

SEC. 10. That the president and trustees, and every officer of said corporation shall, before entering upon the duties of their offices, take an oath or affirmation before some judge or justice of the peace, to support the constitution of this State and of the United States, and faithfully to demean themselves in office. Officers to be sworn

SEC. 11. That a town constable or constables shall be appointed as other officers of the corporation, who shall possess the same powers and perform the same duties within said town as the constables in the different townships possess in their respective townships, and shall be entitled to the same compensation. Town constables to be appointed
Their powers and duties

SEC. 12. That the incorporation shall be divided into two wards, and more, if the president and trustees shall hereafter deem it necessary. All of fractional section No. sixteen of said town shall compose the first ward, and all the balance of said town shall compose the second ward, and if more hereafter shall be made, the president and trustees shall make the same matter of record, and publish the bounds thereof; and each ward shall elect at least two trustees, and five trustees shall constitute a board to do and transact business. To be divided into wards

SEC. 13. An election shall be held on the first Monday in May next, and Paris Mason, John Armstrong, and John Rees, of said town, are hereby appointed judges of the first election. And it shall be the duty of said judges to give at least ten days notice of the time and place of holding said election by posting up six advertisements in the most public places in said town, and shall deliver certificates of election to those duly elected. Said election shall be conducted in all respects as other elections are conducted in this State. An election to be held
Judges of election
Their duty

SEC. 14. All the revenue collected in the first ward shall be expended in improving the avenues, lanes, streets, or alleys; or in erecting public buildings in said ward; and all the revenue collected in the second ward shall be expended in the like manner in the second ward, in such manner agreeable to this act the president and trustees may direct. Revenue, how disposed of

- Jurisdiction** **SEC. 15.** The jurisdiction of said president and trustees, and all other officers within said incorporate limits, shall extend to the centre of the river in front of said town of Grafton, in addition to the prescribed limits of said corporation.
- When this act takes effect** **SEC. 16.** This act to take effect and be in force from and after its passage.
- This act may be repealed** **SEC. 17.** The legislature reserves the right to repeal, alter, or amend, this act whenever the public good may require the same.
- APPROVED 28th February, 1837.**
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In force, 28th
Feb. 1837

AN ACT to incorporate the Canton College of Illinois:

- Created a body corporate** **SEC. 1.** *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Joel Wright, Lathrop W. Curtis, Nathan Jones, Peter Westerfield, Joseph Cone, James P. Stewart, and N. G. Berryman, be and they are hereby created a body corporate, to be styled and known by the name of the trustees of the "Canton College of Illinois," and by that name to remain and have perpetual succession, with full power to acquire, hold, and transfer property, real and personal, make contracts, sue and be sued, plead and be impleaded, and in their corporate capacity, to make, have, and use a common seal, and the same to break, alter or destroy at pleasure.
- Their powers** **SEC. 2.** The number of said trustees shall not exceed twenty-five, seven of whom shall reside in the county of Fulton. The president, or presiding officer of the college, shall ex officio be a member of the board of trustees; no other instructor shall be a member.
- Number of trustees** **SEC. 3.** The powers hereby given said trustees shall not be used or construed to extend to the contracting for or acquiring of any property, real, or personal, or mixed, that shall not be necessary and proper for the purposes of an institution of learning, and the whole property of said corporation shall be applied solely to that end. Said trustees shall faithfully apply funds by them owned, or hereafter owned, according to their best judgment, in erecting buildings, in supporting the necessary offices and agents of the college, in procuring books, maps, charts, globes, chemical, philosophical, and other apparatus, required to promote sound learning. They shall prescribe and regulate the course of studies to be pursued in said institution; and in its preparatory department fix
- Trustees' powers limited and defined**

the rate of tuition and regulate all college expenses, appoint such officers and agents as in their judgment may be requisite to conduct said college, define their duties and powers, and fix their compensations, remove any or all of them when the interest of the college may justly demand it, establish a system of manual labor, make rules for the regulation of the students, and by-laws for the general management of the college: *Provided*, Nothing therein contained shall be in opposition to the constitution or laws of this Sta'e, or inconsistent with the constitution or laws of the United States.

SEC. 4. As the ability of the said corporation shall increase, and they deem proper, they shall have authority to establish departments for the study of any or all of the liberal professions, and said trustees shall have power to institute and confer the degrees of doctor in science and in the learned arts, and belle lettres; and to confer such academical and honorary degrees as are usually conferred by similar institutions.

Different departments may be established

Degrees may be conferred

SEC. 5. Said trustees shall have authority to institute a board of competent persons, always including the college faculty, who shall have power to examine such individuals as may apply, and if such applicants shall be considered honorary graduates, they shall be entitled to a diploma accordingly, on paying the sum required by the trustees. Said examining board shall not exceed seven in number: three shall be allowed to transact business, *Provided*, Two are of the college faculty.

Trustees' authority

SEC. 6. Any donation, devise, or bequest made for specific purposes accordant with the objects of the college, if the trustees shall accept the same, shall be applied in conformity with the express condition of the donor or devisor. The lands, tenements, and hereditaments, to be held perpetually in virtue of this act by said corporation, shall not exceed one thousand acres: *Provided, however*, If donations, grants, or devises in land shall from time to time be made to said corporation over and above one thousand acres, which may be held in perpetuity as aforesaid. The same may be received and held by said corporation for the term of seven years from the date of every such donation, grant, or devise, at the end of which time, if the said lands, over and above the aforesaid one thousand acres, shall not have [been] sold by said corporation, then in that case said lands, so donated, granted, or devised, shall revert to the donor, grantor, or the heirs of the devisor of the same, as the case may be.

How donations to be disposed of

What lands may be held

SEC. 7. The treasurer of said college, and all other agents to whom funds are committed, when required by the trustees, shall give bonds for the security of the cor-

Treasurer and other agents to give bond

poration in such penal sum, and with such securities and at such time, as the board shall approve, and all process against said corporation shall be by summons, and service of the same shall be by leaving an attested copy with the treasurer of the college at least thirty days before the return day thereof.

Not to be secretary

SEC. 8. Said institution shall at all times be conducted upon free, liberal, and enlightened principles, and no student shall be excluded or prohibited from entering in consequence of his or her parents' or guardians' religious opinions; but all students, whose habits are idle, or whose morals are vicious and bad, may be suspended, or expelled at the discretion of the trustees.

Trustees to fill vacancies, and may remove members from the board

SEC. 9. The trustees shall have power to supply any vacancies which may occur in their body, and remove any member from the same for dishonorable or criminal conduct: *Provided*, The member implicated shall have opportunity to defend himself before the board, and two-thirds of the whole number of the trustees concur in the removal.

Location

SEC. 10. Said college, for the present, shall be located at or near Canton, in the county of Fulton. The trustees shall hold at least one meeting for business annually. The by-laws shall regulate the time and manner of electing the officers, professors or agents of the board and faculty. The above and aforementioned trustees shall have power to call the first meeting of the trustees. Special meetings may at any time be held, by the order of the president or principal of the college and board of trustees. Seven shall form a quorum to do business, or five in case the president or principal of the college, or president of the board be one.

A public act

SEC. 11. This act shall be a public act, and shall be construed liberally in all courts for the purposes hereinbefore expressed

APPROVED 28th February, 1837.

In force 28th Feb., 1837.

AN ACT to incorporate the Shokokon and Rushville Rail Road Company.

Persons incorporated

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That Robert M'Queen, Michael Crane, Jonathan Nichols and John Curts, of Shokokon; Lewis R. Chaffin, William Smith, Jonathan Wasom, George Coulson, Joseph W. Nudd, Henry Compstock, Abraham Harpe Jun., Joy Sperry and Lewis C. Maynard of La Harpe; Jeremiah Smith, of Burlington, Wis-

consin Territory; Hart Fellows, James R. Fayerweather and James McCrosky, of Rushville, and all such persons who may associate with them for that purpose, be, and they are hereby constituted a body politic and corporate, by the name of the Shokokon and Rushville Rail Road Company, for the purpose of constructing a rail road from Shokokon, on the Mississippi river, opposite the town of Burlington, Wisconsin Territory, by the way of the town of La Harpe, in Hancock county, and Rushville, in Schuyler county, to the Illinois river, at the most suitable point, so as to connect, as near as practicable, the Jacksonville and Merodocia rail road; to transport, take and carry property and persons upon the same, by the power and force of steam, of animals, or of mechanical or other power, or any combination of them, which the said corporation may choose to employ; and by that name they and their successors shall be, and they are hereby vested with the right and privilege of constructing and using the said road, for the purposes aforesaid, from and to the points comprised within the limits before mentioned; and may have succession, and shall be persons in law capable of contracting and being contracted with, suing and being sued, plead and being impleaded, in all courts of law and equity, and in all manner of actions; and that they and their successors may have a common seal, and may alter and change the same at pleasure.

Name
Points of rail
road

Powers & pri-
vileges

Powers & lia-
bilities

Common seal

SEC. 2. That if the corporation hereby created shall not, within ten years from the passage of this act, construct and finish, and put in operation, the said road, or any part thereof, as shall be expedient by said corporation, then the said corporation shall thenceforth and forever cease, and this act be null and void.

If rail road not
constructed in
10 years cor-
poration shall
cease

SEC. 3. The capital stock of said company shall be two hundred thousand dollars, with the liberty to increase the same from time to time, by new subscriptions, in such manner and form as they shall think proper, if such increase shall be found necessary to fulfil the intent of this act; which said capital stock shall be divided into shares of fifty dollars each; which shall be deemed personal property, and transferrable in such manner as said corporation shall by law direct.

Capital stock
May be in-
creased

Shares deemed
personal pro-
perty

SEC. 4. That Lewis R. Chaffin, William Smith, Robert McQueen, Michael Crane, Jeremiah Smith, Lewis C. Maynard, George Coulson, Jonathan Wassom, Joseph W. Nudd, Joy Sperry, Abraham Harper Jr., John Curts, Jonathan Nichols, Henry Comstock, Hart Fellows, James R. Fayerweather and James McCrosky, shall be commissioners, the duty of whom, or a majority of them, shall be, at some suitable place, in the cities of Boston, New York,

Commissioners
appointed to
receive sub-
scriptions of
capital stock

Philadelphia, Baltimore, Louisville, New Orleans and St. Louis, and in the towns of Alton, Rushville, La Harpe, and Shokokon in Illinois, to open books to receive subscription to the capital stock of said corporation, and to do such other things as in their opinion are necessary and best calculated to get said stock taken up; sixty days public notice shall be given by said commissioners, of the time and place of the opening of said books, in one of the public newspapers in Alton and Rushville. The commissioners shall receive no subscription unless at least one dollar on each share subscribed be paid at the time of subscription; and as soon as the same be subscribed, to give a like notice for a meeting of the stockholders to choose five directors; and such election shall be made, at the time and place appointed, by such of the stockholders as shall attend for that purpose, either in person or by lawful proxy, each share of the capital stock entitling each stockholder to one vote; and the said commissioners shall be inspectors of the first election of directors of the said corporation, and shall certify under their hands the names of those duly elected, and deliver over the subscription books to the said directors; and the time and place of holding the first meeting of the directors shall be fixed on by said commissioners; and the directors to be chosen at such meeting or at such annual elections, shall, as soon as may be after every election, choose out of their own number one president and one other person to be vice president; and in case of the death, resignation or removal of the president or vice president, or of any director, such vacancy or vacancies may be filled for the remainder of the year, whenever they may happen, by the board of directors; and in case of the absence of the president or vice president the board of directors shall have power to appoint a president *pro tempore*, who shall have and exercise such powers and functions as the by-laws of the said corporation may provide.

President and vice president

How payment of sums subscribed enforced

SEC. 5. It shall be lawful for the directors to require payment of the sums subscribed to the capital stock, at such time and in such proportions, and on such conditions, as they shall deem fit, under the penalty of the forfeiture of all previous payments thereon; and shall give notice of the payments thus required, and of the place and times, where and when the same are to be paid, at least ninety days previous to the payment of the same, in some public newspaper in this state, and in the several cities where the books of the company may have been opened for subscriptions to the capital stock.

A failure to elect directors, how cured

SEC. 6. That in case it should at any time happen that an election of directors shall not be made, on any day, on which, in pursuance of this act, it ought to be made, the

said corporation shall not, for that cause, be deemed to be dissolved, but such elections may be held at any other time directed by the by-laws of said corporation.

SEC. 7. That five of the directors of said corporation shall form a board, and they, or a majority of them, shall be competent to transact all the business of the said corporation, and they shall have full power to make and prescribe such by-laws, rules and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate and effects, of said corporation; the transfer of shares, and touching the duties and conduct of their officers and servants, and the election of directors, and all other matters whatsoever, which may appertain to the concerns of said corporation; and also shall have power to appoint a secretary, and so many clerks and servants as to them shall seem meet; and to establish such salaries and allowances to them, and also to president and vice president, as to said board shall appear proper.

What number of inspectors shall constitute a board
Powers of

To appoint secretary, &c.
Salaries

SEC. 8. That the said corporation be, and they are hereby authorized by their agents, surveyors and engineers, to cause such examinations and surveys to be made, of the ground lying in the aforesaid limits, prescribed in the first section of the act, as shall be necessary to determine the most advantageous route for the proper line or course whereon to construct said road; and it shall be lawful for the said corporation to enter upon, and take possession of and use, all such lands and real estate, as may be necessary for the construction and maintenance of said road, and the accommodations requisite and appertaining to them; and may also hold and take all such voluntary grants and donations of land and real estate, [as] shall be made to said corporation [for the] maintenance and accommodation of their said road; *Provided*, That all lands or real estate, thus entered and taken possession of and used, by said corporation, which are not donations, shall be purchased by said corporation, of the owner or owners of the same, at a price mutually to be agreed upon between them; and in case of disagreement as to price, it shall be the duty of the Governor of this state, upon notice given to him, by said corporation, to appoint three commissioners, who shall be persons not interested in the matter, to be determined by them, to determine the damages which the owner or owners of the said land or real estate, so entered upon by said corporation, have sustained by the occupation of the same; and upon payment of such damages, together with the costs and charges attending the appraisement by the said corporation, the said commissioners being allowed two dollars per day whilst thus

Examinations and surveys

Lands may be taken

Proviso,

Duty of Governor

Damages, how determined
How commissioners to assess damages shall proceed

employed, or upon the corporation depositing in the treasury of the state the amount of such damages, together with the costs and charges aforesaid, to the credit of the person or persons the commissioners may have awarded the same, the proper officer of such treasury giving notice to such person or persons by letter of such deposit being made by the said corporation, then the said corporation shall be deemed to be seized and possessed of the fee simple of all such lands or real estate as shall have been appraised by the said commissioners; and it shall be the duty of said commissioners, or a majority of them, to deliver to said corporation a written statement of the award or awards they shall make, with a description of the lands or real estate appraised, to be recorded by the said corporation in the clerk's office of the county commissioners' court in which the land or real estate may be; that in case any owner or owners of land or real estate so appraised, shall be *feme covert*, under age, *non compos mentis*, or out of this state, then, in such case, the said corporation shall pay the said last mentioned owner or owners, respectively, whenever the same shall be lawfully determined, together with interest at the rate of six per cent per annum.

Feme covert,
infants & idiots

Corporation
authorized to
construct road

Regulations

Collect tolls

SEC. 9. That the said corporation be, and they are hereby authorized to construct and use a road, of suitable width and dimensions, to be determined by said corporation, within the limits prescribed by the first section of this act, and shall have power to regulate the time and manner in which goods and passengers shall be taken, transported and carried on the same, as well as the manner in which they shall collect all dues on account of transportations; and shall have power to erect houses and other buildings for the accommodation of their concerns, as they may deem suitable to their interests, and to collect tolls as soon as any part thereof is finished.

When rail road
shall cross or
intersect other
roads, how
company shall
proceed

SEC. 10. That whenever it shall be necessary for their rail road to cross or intersect any water course, or other highways, lying between the points aforesaid, it shall be lawful for the said corporation to construct their rail road across or upon the same; *Provided*, The corporation shall restore the highway thus intersected to its former state, or in a sufficient manner not to impair its usefulness.

Subsequent
companies may
join this

SEC. 11. It shall be lawful for any rail road company which may hereafter be incorporated, to join with the rail road company hereby created, at any point they may think advisable, on such terms as the companies respectively may agree upon; in case that a disagreement between the directors, then, upon such terms as the circuit court of the county in which such difficulty may take place, shall, upon a full view of the premises and facts connected

Disagreement,
how cured

with the case, determine to be equitable and just between the said companies.

SEC. 12. That if any person or persons shall wilfully do, or cause to be done, any act or acts, whereby any building, construction or work, of said corporation, or any engine, machine or construction, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending, shall forfeit and pay the said corporation double the amount of damages sustained by means of such offence, to be recovered in the name of said corporation, with costs of suit, by action of debt, to be brought in any court of record in this state, or before any justice of the peace in the counties where such injury may have accrued; and the person or persons so offending shall be deemed guilty of a misdemeanor and liable to fine and imprisonment.

Persons injuring works, how liable.

SEC. 13. That the said corporation shall have the liberty of taking and receiving in payment of the stock subscribed to said corporation, a conveyance in fee simple of any land or town lots, and the same, together with any such donations as above provided, to sell and convey in such manner and on such terms, as may be thought necessary and most advantageous to the said corporation.

Stock subscribed may be paid in land

SEC. 14. When one-tenth part or more of the stock of said company shall be subscribed, the said commissioners shall make an election, at such time and place as they may direct, for the election of directors as herein provided, and the said directors shall receive from the said commissioners all the books, papers and money, which they may have received, and thereafter the directors shall receive subscriptions to the said capital stock, until the whole amount shall be subscribed.

When election of directors shall be had

Directors to receive books

SEC. 15. This act shall be deemed a public act, and shall be favorably construed for the purposes therein expressed, and declared in all courts and places whatever.

Public act How construed

APPROVED 28th Feb. 1837.

AN ACT to incorporate the Quincy, Griggsville, Jacksonvilles, and Springfield Turnpike Company. In force March 1st, 1837

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James Todd, John T. Cassell, John Henry, William King, Scott Riggs, George Camp, John White, Charles C. Perry, of Morgan county, James Brown, H. Yates, R. F. Barrett, J. E. Canfield, and Robert Allen, of Sangamon county, N. W.

Corporation constituted a body politic and corporate	Jones, Uriah Brown, G. W. Johnson, Andrew Philips, John McConnell and William Kinman, and Hazel Wells, and Nathan Philips, of Pike county, John Wood, Archibald Williams, Robert Tillson, Francis C. Moore, and E. L. Pearsons, of Adams county, and their successors in office duly elected as hereinafter directed, are hereby constituted a body politic and corporate, and by the name and style of the "Quincy, Jacksonville, and Springfield Company," shall be able and capable in law and equity to sue and be sued, plead and be impleaded in any and all courts whatever; make and use a common seal, and the same to alter and change at pleasure; and shall be able to make contracts and enforce the same, and to make and enforce the necessary by-laws, rules and regulations to enable them to carry into effect the provisions of this act, not inconsistent with the laws and constitution of the state.
May sue and be sued and have a common seal	
May make by-laws, &c.	
Amount of capital stock divided into shares	SEC. 2. The capital stock of said corporation shall be one hundred thousand dollars, divided into shares of fifty dollars each, with power to increase the capital stock, if necessary, to accomplish the objects herein contemplated, and whenever one hundred shares of the said stock are subscribed, the said company may become organized and it shall require [a majority] of said corporators and no more to be present to aid in the organization of said company.
Company may become organized	
Time corporation to exist	SEC. 3. Said corporation shall exist for thirty years.— But in case said company shall not commence the construction of said work in two years and complete the same or some one of the sections hereinafter named in six years, then this charter to be null and void.
Corporation to construct a road	SEC. 4. The corporation by their agents shall have power from time to time to survey, examine, mark and locate a turnpike road, starting at Quincy, in Adams county, and running thence to the ferry on the Illinois river, known as Philips' ferry, and thence to strike the line between townships fourteen and fifteen, in range thirteen west, and to continue on said line to Lynnville, or near thereto, thence to Jacksonville, thence to Trenton, thence to Burlin, and thence to Springfield; with full power to diverge from a direct line between the points named where more favorable ground can be had, for the construction of said road, the same to be not more than four poles in width.
Width of road Road divided into sections	SEC. 5. Said road is hereby divided into three sections, as follows, to wit: All that part of said road between Quincy and Philips' ferry shall be the first section: all that part between Philips' ferry and Jacksonville shall be the second section; and all that part between Jacksonville and Springfield shall be the third section; and the said corporation have full power and authority to open books
Corporation to open books for subscription	

for the subscription of stock for the entire construction of said road its whole length: or said corporation may open books for the subscription of stock, to be subscribed for the constructing and completing the first, second, or third section of said road as the case may be, beginning with such section as the corporation may deem most advisable, under the regulations and provisions of this act.

SEC. 6. The state shall have the right to purchase the stock of said company at any time after ten years on paying said corporation a sum of money which together with the tolls received shall equal the cost and expenses of said turnpike road as aforesaid, with an interest of ten per centum per annum. State may purchase stock

SEC. 7. The said corporation shall be entitled to all the rights, privileges, and immunities, and be subject to all the restraints, duties and penalties granted and imposed in and by an act "to incorporate the Wabash and Mississippi Turnpike company," approved January 13th, 1836, whenever the same are or may be applicable to said company: *Provided, however,* That no part in section 20 of said act shall be considered as binding on said company. Rights of corporation
Proviso.

SEC. 8. Said road shall be so graded that the ascent of no part of the same shall exceed seven and a half degrees. Grading of road

APPROVED 1st March, 1838.

AN ACT to incorporate the Ottawa manufacturing company.

In force March 1st. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Henry Green, William B. Eagan, Henry Moore, Benjamin H. Moores, and Henry Maston, and their associates and successors, be and they are hereby constituted a body politic and corporate, under the name of the "Ottawa Manufacturing Company," to be located within one mile of the town of Ottawa, in the county of La Salle, and by that name shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, in all courts having competent jurisdiction: and shall be vested with all the power and privileges necessary to the object of the incorporation. Body constituted.
Name.
Location.
Sue and be sued

SEC. 2. The said company shall have power and be capable of holding, purchasing, improving, selling, and conveying estate, real and personal, for the use of said corporation; second, to improve or erect buildings on the same; third, to rent, lease or occupy any or all such lands belong- Powers

- Proviso ing to said company; *Provided*, That the real estate owned by said company shall not exceed three hundred and twenty acres, except such as may be held as collateral security for debts due said company, or may become the property thereof, by virtue of such indebtedness. And further, no such estate acquired by such indebtedness, shall remain the property of the corporation for a longer period than five years, under the penalty of a forfeiture thereof, to the people of this state.
- Collateral security
- Five years
- Capital stock \$200,000 shares \$100 each
- Proviso
- Property liable for excess
- Powers
- Further powers
- Proviso
- Contracts
- Conveyances
- SEC. 3. The capital stock of said company shall be two hundred thousand dollars, with the privileges to increase to five hundred thousand dollars; which capital stock shall be divided into shares of one hundred dollars each, and subscribed for, and held in manner hereinafter mentioned: *Provided*, that the total amount of debt which the said corporation shall at any time owe shall not exceed the amount of their capital stock, and in case of such excess, those under whose administration it shall happen, shall be holden for the same, in their natural and private capacity. But this shall not be construed to exempt the corporate property of the company from being also liable and chargeable for such excess.
- SEC. 4. The said company shall have power to enter into and carry on all kinds of mechanical and manufacturing business, to erect mills, furnaces, and machine shops, for the manufacturing of flour, lumber, woollen, and cotton goods, machinery, farming utensils, &c.
- SEC. 5. The better to enable said corporation to transact and carry on the purposes of their said incorporation, they are hereby authorised and empowered to make, endorse, issue, receive, and transfer promissory notes, conveyances of land; to receive the hypothecation and pledges of stock of other companies or incorporations, and other instruments in writing, necessary to the transaction of their business: *Provided*, That this act shall not be construed so as to authorise the said company or corporation to make and emit bills of credit, promissory notes, bank notes, or other instruments, to be used as a circulating medium.
- SEC. 6. All contracts or other evidence of indebtedness which may be made or entered into by the said corporation shall be subscribed by the president and attested by the secretary, and being so signed and attested, shall be binding on said corporation, and all conveyances made and entered into by the said corporation, conveying real estate belonging to the said company, when signed and attested as aforesaid, shall in like manner, be binding on said corporation, according to the tenor, effect, and true intent and meaning of the same.
- SEC. 7. Subscription to the capital stock of said cor-

poration shall be opened under the direction of the directors hereafter named, and if more than two hundred thousand dollars shall be subscribed, they shall distribute the stock among the several subscribers in such manner as they shall deem most conducive to the interest of said corporation. And it shall be the duty of the directors for the time being, to call for and demand of the stockholders respectively, all sums of money by them subscribed at such times and in such proportions as they shall see fit, under the penalty of the forfeiture of their shares, and previous payments made thereon, to the said corporation, always giving thirty days notice in a newspaper printed in or nearest to said town.

Subscriptions,
capital stock

Duty of direc-
tors

Penalty.

Notice

Sec. 8. The stock, property and concerns of the said corporation shall be managed and conducted by five directors, who shall, at the time of their election, be holders respectively, of not less than twenty shares of the capital stock of said company. Said directors shall be chosen annually, on the first Monday in June, by the stockholders or their proxies, which shall be by ballot. Each share of the capital stock shall be entitled to one vote; and the five persons receiving the greatest number of votes shall be deemed duly elected, to hold their offices one year, and until others are elected to fill their places. The directors so chosen or the major part of them shall constitute a board and be competent to the transaction of business, and may from time to time make and prescribe such by-laws, rules and regulations relative to the concerns of said corporation; the duties of the president and agents, (each of whom shall be elected by a majority of the directors so chosen) and shall also regulate the duties of their agents, clerks, and all others by them employed. And also shall appoint a treasurer, who shall give bond to the president and directors in such amount and in such manner as the said directors shall prescribe; and the said directors shall have power to appoint such other officers, agents, and clerks as may be necessary for carrying on the business of said corporation.

How managed

To be chosen
annually

Hold office

By-laws

Regulate duties
of agents, &c.

Appoint trea-
surer and other
officers

Sec. 9. Henry Green, Wm. B. Eagan, Henry Moore, Henry Matson, and Benjamin H. Moores shall be directors from the time this act takes effect, and until others are elected in their stead, four weeks previous notice of an election, after the first, shall be given of the time and place of holding such election, by publishing such notice once in each week for four weeks, immediately preceding such election in a newspaper printed in or near the said town, and such election shall be holden under the inspection of the directors.

Directors

Time & place
of election

Sec. 10. The company shall all times keep proper

To keep books books of accounts, in which shall be registered all the transactions of the corporation, and the same shall at all times be subject to the inspection of the stockholders. And it shall be the duty of the directors to make annual dividends, or at such other times as a majority of the directors shall direct, of so much of the profits of said company as to them, or a majority of them, shall appear advisable. And the said directors whenever required by a majority of the stockholders, shall exhibit, at a general meeting, a full and perfect statement of the debts and credits, and all such other matters as may be deemed essential, relating to the affairs of the company.

Annual divid-
ends

Statement of
debts and cred-
its

SEC. 11. A majority of the stockholders whenever they deem it necessary, may call a special meeting of the company: *And provided*, the regular elections from any cause, shall not take place at the time therein provided for, it shall be lawful for any two of the stockholders to call a special election, giving notice of the time and place as herein provided.

Special meet
ing

SEC. 12. The stock not disposed of by the directors in the manner herein before named, shall and may be issued by the directors, for the time being, according to the by-laws and regulations that may be adopted by the said company.

Stock deemed
personal

SEC. 13. The stock of said corporation shall be deemed personal property, and assignable and transferrable on the books of the corporation. But no stockholder indebted to the corporation, shall be permitted to make a transfer until such debt be paid, or secured to be paid, to the satisfaction of the directors.

Public act

SEC. 14. This act is hereby declared to be public, and shall take effect from and after its passage.

May repeal
Proviso.

SEC. 15. The legislature may at any time alter, amend or repeal this act, whenever, in its opinion, the public good shall require it: *Provided*, That said corporation may exist for the period of two years after such repeal, for the purpose of winding up and closing its business; but not for the purpose of continuing the same, or any other purpose.

APPROVED 1st March, 1837.

In force March
1, 1837

AN ACT to incorporate the Liverpool, Canton and Knoxville rail road company.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the president,

directors and stockholders, and such other persons as may hereafter become presidents, directors and stockholders agreeably to the provisions of this act, in the incorporation hereby created, shall be continued and exist for the term of sixty years from the passage of this act, a body corporate and politic, by the name and style of "The Liverpool, Canton and Knoxville rail road company."

How long corporation shall exist
Name

SEC. 2. The said corporation shall have the power, right, and privilege to construct, build, and make, and during its existence to continue in repair a rail road or rail roads, with a single or double track, and with such appendages and appurtenances as may be deemed necessary for the convenient use of the same, from the town of Knoxville, in Knox county, running near or through the town of Canton, in Fulton county, to the banks of the Illinois river at or near the town of Liverpool, in Fulton county aforesaid; to transport, take and carry persons, property, goods, wares, and merchandise on the same by the power and force of steam, of animals, or any mechanical or other power, or a combination of the same, as the said company shall choose to employ, for the space or term of sixty years from the passage of this act.

Powers, rights, and privileges

SEC. 3. The said corporation by the name and style aforesaid, shall, for the term aforesaid, have continued succession, and shall be capable in law and equity to sue and be sued, and to plead and be impleaded in all manner of actions whatsoever, and may make and use a common seal, and alter the same at pleasure.

To have succession may sue and be sued

May make and use a common seal

SEC. 4. If the said corporation hereby created, shall not within five years from the passage of this act, commence the construction of the said rail road, and expend within two years thereafter the sum of ten thousand dollars thereon, and shall not within ten years from the passage of this act construct, finish, and put in operation the said rail road from and between Canton and Liverpool, or in the event of the failure of the company to construct the parts and portions of the said rail road, within either of the times above specified, then the rights, powers, privileges, and immunities of the said corporation under this act, shall be null and void.

When road shall be commenced and finished

SEC. 5. If the said corporation should only construct and complete the said rail road from Canton to Liverpool, it shall not be deemed a forfeiture of the charter or act of incorporation hereby granted, but said corporation shall have and enjoy the same privileges, rights and immunities as they otherwise would do should the said rail road be constructed and completed from Knoxville to Liverpool: *Provided*, That the privileges granted by this charter shall not extend to that part of the road between Canton and

If a part is finished, no forfeiture

Knoxville for a longer period than is specified for the completing that part of the road which lies between Canton and Liverpool.

Capital stock

Divided into shares.

Deemed personal property, transferrable

Capital stock may be increased

SEC. 6. The capital stock of said corporation shall be one hundred thousand dollars, which shall be divided into shares one hundred dollars each, which shall be deemed personal property, and shall be transferrable in such manner as the said corporation shall by by-laws direct. The capital stock of the said corporation may at any time hereafter be increased to a sum not exceeding three hundred thousand dollars, if the same shall be deemed necessary by the directors of the said corporation, to the completion of the said rail road; and the same may be subscribed for and taken under the direction of such persons as the directors shall for that purpose, appoint, and whenever they shall direct one or more books to be opened for such purpose, the same shall and may be taken in such manner as the said board of directors shall have for that purpose appointed.

Commissioners to receive subscription to stock

SEC. 7. That for the purpose of carrying into execution so much of the provisions of this act as relates to the first subscription of stock, Samuel Brooks, Myron Phelps, William Elliott, jr., Robert E. Little, Charles Kettell, D. W. Viltum, Thomas J. Little, Jonas Rawalt, and Joel Wright be, and they are hereby appointed commissioners, whose duty it shall be, within the period of twelve months after the passage of this act, at some suitable place, that may be designated by the said commissioners, or a majority of them, to open books to receive subscriptions for the capital stock of said corporation, and thirty days public notice shall be given by said commissioners of the time and place of opening such books in one or more of the public newspapers printed in this state; and a majority of the commissioners shall constitute a board to receive subscriptions, which books shall be closed as soon as said capital stock is subscribed. The said commissioners shall receive no subscription unless one dollar on each share shall be paid at the time of subscribing. So soon as said capital stock is subscribed, or at least fifty shares, and books closed, the commissioners shall give notice for a meeting of the stockholders, at such time and place as they shall appoint, by advertisement in one of the newspapers in this state, thirty days before such election, to choose five directors. And such commissioners are hereby appointed inspectors of such election, and such election shall be then and there made by such of the stockholders as shall attend for that purpose, in person or by proxy, each share of the capital stock entitling a stockholder to one vote on such share; and said commissioners shall certify under their hands, the names of the persons duly elected, and deliver

Their duties

over the subscription books together with all moneys by them received for and on account of subscription, to the directors so chosen.

SEC. 8. The said directors shall have power to appoint and employ one or more engineers, to cause such examination and surveys for said rail road as may be necessary to the selection of the most advantageous line or lines, course or courses for the location of said road; and the said directors shall, after such examinations and surveys, shall have been made, select and by certificate under their hands and seals designate the line, course, or way they may deem most advantageous for said rail road; which said certificate shall be filed in the office of the secretary of this state; which said line, course, or way so selected and certified, shall be deemed the line, course, or way on which the said corporation shall construct or cause to be constructed, built, or made, their single or double rail road as hereinafter mentioned.

Directors may appoint engineers and cause surveys

SEC. 9. The directors chosen as aforesaid shall, as soon as may be, after election, choose out of their own number a president, who shall preside until the next annual election thereafter and until another president shall be chosen, and in case of the death or resignation of the president or of any director, the vacancy thus occurring, may be filled for the remainder of the year, in which they may happen, by the board of directors, and in case of the absence of the president the board of directors shall have power to appoint a president *pro tempore*, who shall have and exercise such powers and functions as the by-laws of the said corporation may provide.

Directors to choose a president

Vacancy president, how filled

SEC. 10. In case it should at any time happen that an election of directors shall not be made on any day when, pursuant to the provisions of this act, it ought to have been made, the said corporation shall not, for that cause, be deemed to be dissolved, but such election may be held at any other time within ninety days thereafter.

Shall not be dissolved if election be neglected

SEC. 11. The said directors shall have power to appoint a secretary and treasurer, and all subordinate officers of said corporation, fix their compensation, define their powers, and prescribe their duties; who, when appointed, shall give bonds in such penal sums with such conditions and with such securities as the said directors shall prescribe; and shall hold their office during the pleasure of a majority of the directors. Said directors may also make, ordain, establish, and put in execution such by-laws, ordinances and regulations as may be necessary for the efficient and prudent management of the affairs and objects of the said corporation. No by-laws, ordinances or regulations of the same shall be in any wise contrary to the con-

Directors to appoint a secretary and treasurer and other officers

May make by-laws

stitution and existing laws of this state or of the United States.

Time of first directors office

SEC. 12. The first directors to be chosen shall hold their offices until the first Monday in November, in the year one thousand eight hundred and thirty-eight, and until others shall be chosen; and ever thereafter on the first Monday of November, in each and every year, at such time and place as the said directors shall appoint, giving twenty days previous notice, in the manner prescribed for giving notice by the commissioners appointed for the opening of the books. Every election shall be held under the inspection of three stockholders, not being directors, who shall be previously appointed by a majority of said directors. All elections shall be by ballot, and a plurality of the votes given shall constitute a choice. In case of an equal number of votes for any two or more directors, the president shall have a casting vote; and shall thereby determine who shall be entitled to a seat at the board.

When others shall be chosen

Notice of election to be given

How to be conducted

May purchase lands for road

SEC. 13. The said corporation is hereby empowered to purchase, receive, and hold such real estate as may be necessary for the construction of said road; and may, by their agents, engineers, and surveyors, enter upon and take possession of and use all such lands and real estate as may be necessary and indispensable for the construction and maintenance of the said single or double track or way and the accommodations requisite and appertaining thereto; and may also receive, hold, and take all such voluntary grants and donations of land and real estate as shall be given, granted, and ceded to the said corporation, for the purposes aforesaid, to aid in the construction, maintenance and accommodation of the said single or double rail road. The said corporation are also empowered to purchase, receive, and appropriate to the construction, building and making of said track or railway, all such timber, stone, earth, or other materials as may be deemed necessary and requisite for the same.

May receive voluntary grants

Right of way in all cases how secured

But all lands or real estate thus entered upon, and all materials which may be necessary for the construction and maintenance of said rail road or track, which are not donated, shall be purchased by the said corporation of the owner or owners of the same, at a price to be mutually agreed upon between them; and in case of a disagreement as to price, either as to the said lands or materials, and before making any portion of said road on such lands, the said corporation or the owners of said lands may apply by petition to the judge of the circuit court of the county in which such lands may lie, particularly describing the land to be appraised; and said petition shall be filed in the office of the clerk of the circuit court, in the county in which such lands may lie, or materials may be; where-

upon, the said clerk shall have power, and is hereby authorised and directed to issue, under the seal of the said court, a notice in writing to the other party, informing him of the filing of said petition as aforesaid, with the time and place of the commencement of the sitting of the circuit court then next ensuing, and that an appraisement or assessment of the value of said lands or materials will, at the term of said court, be made; which notice shall be served by the sheriff of said county, or any other person qualified to serve, and make affidavit of the service of the same, by exhibiting the same and by serving personally a copy thereof, upon the person so sought to be notified, which shall be deemed a sufficient notice. Said notice shall be so served at least twenty days before the said sitting of the court. The said clerk shall be authorised and is hereby directed, upon application of either the said corporation or the owner of said land or materials, to issue a subpoena, directed to such persons as they may desire, commanding their attendance at said court to prove the value of said land or materials. The said judge, in case the party so notified as aforesaid shall neglect to appear, upon due proof of the service of said notice as aforesaid, shall proceed to appoint three competent, unbiassed, and disinterested commissioners, who shall be freeholders and residents of the county in which the lands described in said petition are situated, and who shall, under the direction of the said judge, and upon hearing the testimony of witnesses on each side, of such as may be sworn, as to the value of said land or materials, or other material facts connected with said appraisement, by the said judge as herein after directed; and upon hearing what may be said by either party or their counsel, make appraisement and determine the damage which the owner of said lands will sustain after having deducted such sum or sums as they may deem just and equitable, upon the proof as aforesaid, for benefit and advantage which will accrue to the owner of said land by and in consequence of the construction and making the said rail road, or in the case of said materials in the value thereof; which said sum shall be certified by a report under their hands and seals. The said report shall contain an accurate description of the land appraised. The said judge is hereby authorised to administer any oaths to witnesses of either party for the purpose aforesaid. The said commissioners may be appointed and selected from the grand jury attending said court or otherwise, as the said judge may determine. The said commissioners shall be allowed two dollars per day for their services, upon proof to the judge aforesaid, to be made within thirty days after the making said report

by the commissioners. The said corporation shall pay all the expenses necessarily incurred in ascertaining said appraisal, unless they shall have previously to the commencement of the proceedings herein before mentioned, tendered a sum of money to the owner of said land, which shall be at least equal in amount to that allowed by the said commissioners; and in case of such tender, the expenses attending such proceeding shall be borne and paid by the owner of said land. The said judge shall make an order or decree upon receiving the report of said commissioners; which said report shall be made as soon as they shall have heard the proof and allegations of both parties to such proceeding; which said report of the commissioners together with the said order or decree, reciting the appraisal of damages, the mode of making it, describing the land, and also a minute or memorandum of the expenses of such proceedings, by whom to be borne or paid according to the provisions of this section of this act, and all other facts necessary to a compliance with this section of this act. And when the said order or decree shall be filed in the office of the recorder of the county in which such lands may be, the said corporation shall be seized in fee simple, absolute, and possessed of such lands or real estate, and may enter upon and take possession of and use the same for the purposes of said road. The said report and decree when filed shall be evidence of the amount due said owner of land; and said corporation may be sued in an action of debt for the same.

Court to appoint a representative for idiots, and other persons interested

SEC. 14. In case any married woman, infant, idiot, insane, or non-resident person of this state, who shall not appear after such notice shall have been returned "*non est inventus*" by the sheriff of the county as aforesaid, and shall be interested in any such land or real estate, or materials necessary for the building of the said road as aforesaid, the said judge shall appoint some competent disinterested person to appear before the said commissioners as guardians *ad litem*, and act for and in behalf of such persons in this section named. The ordinary fees of the said clerk and sheriff shall be allowed them, to be paid upon the same conditions as the other expenses in the thirteenth section of this act.

Power to construct road, regulate transportation

SEC. 15. Said corporation is hereby authorised to construct said rail road of such size and dimensions as they may deem proper, and shall have power to regulate the time and manner in which goods or any articles, or passengers shall be transported, taken, and carried on the same. And also to have power to exact and maintain toll houses and other buildings and appendages for the ac-

May erect toll houses

commodation of their concerns as they may deem conducive to their interest.

SEC. 16. Whenever it shall be necessary for the construction of their single or double rail road or track to intersect or cross any stream of water or water courses, or any road or highway, it shall be lawful for said corporation to construct their way or track or tracks across or upon the same, after which the said corporation shall restore the stream, water course, road or highway thus intersected as near as may be to its former state or so as not to impair its utility.

Duty in crossing other roads, or water streams

SEC. 17. It shall be lawful for the company hereby incorporated, from time to time to fix, regulate, and receive the tolls and charges by them to be received for the transportation of property, of what description soever the same may be, or persons on the single or double rail road or way aforesaid, hereby authorised to be constructed, erected, built, made and used, and to take and receive tolls upon any point of said route whenever and as fast as sections of five miles are fully completed and built.

May fix tolls

SEC. 18. If any person shall wilfully do or cause to be done any act or acts whatever, whereby any building, construction, work or appendages of said corporation, or any engine, machine, or structure, or any thing appertaining to the same, shall be stopped, obstructed, impaired, weakened, injured, or destroyed, every person so offending shall be deemed guilty of a misdemeanor and shall forfeit and pay to the said corporation treble the amount of damages sustained by means of such offence or injury, to be recovered in an action on the case in the name of said corporation, with costs of suit, before any justice of the peace, or before any court of record of this state, and to be fined or imprisoned or both, in the discretion of the court. Said fine to be not less than fifty nor more than one hundred dollars, and said imprisonment to be in the county jail of said county, for a term not less than one month nor more than three, at the discretion of said court.

Penalties for injuries

SEC. 19. It shall be lawful for the directors to require payment of the sums subscribed, or to be subscribed to the capital stock, at such times and in such proportions, and on such condition or conditions as they shall deem fit, under the penalty of the forfeiture of such stock and of all previous payments thereon, and they shall give notice of the payments thus required on said capital stock by an advertisement in one or more of the papers published in this state, containing a notice of the time and place when the same are to be paid sixty days previous to the payment of said stock.

Directors' powers in relation to subscriptions

SEC. 20. This act shall be deemed a public act and

A public act

shall be construed liberally in all courts within this state, for all the beneficial purposes therein intended, and all printed copies of the same which may or shall be printed by or under the direction of the General Assembly shall be admitted as good evidence thereof, in any court in this state without any other proof whatever; and this act shall take effect and be in force from and after its passage.

APPROVED March 1st, 1837.

In force, 1st
March, 1837.

AN ACT to incorporate the Danville and Covington Rail-road Company.

Corporation
created a bo-
dy politic and
corporate

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Thomas McKibben, Peleg Cole, Hezekiah Cunningham, Jonathan Draper, Isaac R. More, and John Villars of Vermilion county, and Isaac B. Vance of Fountain county, Indiana, are hereby created a body politic and corporate for the purposes mentioned in this act, and all persons who shall become stockholders in this company, according to the provisions of this act, shall be and they are hereby constituted a body politic and corporate by the name of the "Danville and Covington Rail-road Company," and by that name shall be competent to sue and be sued, plead and be impleaded, answer and be answered unto, in all courts having competent jurisdiction under the provisions of this act.

Empowered to
construct rail-
road

SEC. 2. The said corporation is hereby empowered to construct a Rail-road either with a single or double track from Danville, in Vermilion county, to the State line on the best and most eligible route towards Covington, in Indiana; and the said company is empowered to take, transport, and carry all property and persons upon said rail-road by any power which they may think proper to employ; and are hereby vested with the right and privilege to locate said road upon the ground which they may think most eligible, first having obtained the consent of the owner of said ground to make such location; and in all cases where said Rail-road passes through the property of any individual, he shall be allowed damages, to be assessed in the manner hereinafter provided for.

Pay damages
assessed

When to com-
mence and fin-
ish road

SEC. 3. That, if the corporation hereby created do not, within two years from the passage of this act, commence the said work, and within ten years finish and complete the same, that then the said corporation shall be null and void.

SEC. 4. That the commissioners, named in the first section of this act, or a majority of them, shall on the first day of May next, or within twenty days thereafter, meet in the town of Danville, in Vermilion county, and fix upon the time for opening books for the subscription of the stock to said corporation. Books shall be opened in the town of Danville, and Covington in Indiana, and in such other towns and cities as said commissioners may think best, upon giving at least thirty days previous notice in some public newspaper printed in such towns or cities where said books are to be opened, or if no paper is printed there, then by posting up written notices in four of the most public places in said town, at which time and place some one of the said commissioners shall attend to the opening of said books, and the said commissioners shall require of the person subscribing for stock in said corporation, to pay five dollars on each share so subscribed for, at the time of subscribing, and shall thereupon give him a certificate, stating the number of shares so subscribed.

Commissioners,
where to meet
to open books

To give notice

SEC. 5. The capital stock of said corporation shall be one hundred thousand dollars, with power to increase the same to two hundred thousand dollars, if said company find it necessary for the completion of said Rail-road, which said stock shall be divided into shares of fifty dollars each, to be called for and paid as the directors of said corporation shall from time to time think best, under such forfeitures as the board may order and direct; and no subscription shall be received for less than two shares, and should the whole amount of the stock not be taken within ten days after the first opening of said books, the said commissioners, or a portion of them, may re-open books at such other times and places as they may think best, giving at least twenty days notice as pointed out in the fourth section of this act.

Amount of
Capital stock

SEC. 6. The said commissioners, or a majority of them, be and they are hereby authorized by their agents, surveyors, and engineers to cause such examinations and surveys to be made of the ground from Danville to the State line in the direction of Covington in Indiana, as they may think proper, to form an estimate of the cost of making said Rail-road.

May make sur-
veys

SEC. 7. The stock and all the concerns of said corporation shall be managed by nine directors, all being stockholders in said corporation, who shall be chosen by the stockholders of said corporation. After the election of directors, those elected shall meet and choose one from their number to be president of said board, whose duty it shall be to preside in all meetings of said board

Directors to
manage stock

- of directors; and in the absence of the president, the board of directors may fill the vacancy by appointing one of the board pro tem. who shall be president until the return of the president. The president and directors of said company shall have power to make such by-laws and rules as to them shall appear needful for the management of the affairs of said corporation, the transfer of stock, the duties and conduct of their officers, agents, and servants, and the election of their officers, and all other matters whatsoever appertaining to the concerns of said corporation: *Provided*, Said by-laws and rules shall not be contrary to the laws and constitution of this State. The said board of directors shall have power to appoint a secretary, treasurer, and such agents and servants as to them may seem proper; and shall prescribe their duties, and fix and establish their salaries and allowances, and do and perform all such things as may seem best for the welfare of said corporation, not violating any of the provisions of this act.
- May make by-laws, transfer stock, &c**
- Proviso**
- Commissioners to pay over money**
- Proviso**
- May hold real estate**
- Elections, when & where to be held**
- Term of office**
- Directors elected annually**
- SEC. 8. As soon as the directors shall have been chosen, and the commissioners, appointed under this act, notified of the same in writing from the said board of directors, then the said commissioners shall immediately pay over to the president and directors of said corporation, or their authorized agent, the whole amount of money received by them on subscription for said stock: *Provided*, If, upon closing the subscription book, there should be a greater amount of stock subscribed than is authorized by this act, the commissioners hereby appointed shall take the excess from those having the greatest number of shares not being residents of this State.
- SEC. 9. The said corporation may purchase and hold such real estate as may by them be deemed necessary for the construction of said Rail-road and transaction of their business, not exceeding six hundred and forty acres of land for timber, coal or any other material which may be necessary for the use of said company.
- SEC. 10. The election of directors under this act shall be held at such times in Danville in Vermilion county, as the commissioners hereby appointed for the first election, and the board of directors for all subsequent elections may direct, and the commissioners hereby appointed shall act as judges of the first election, and the directors then elected shall hold their offices for one year and until their successors are elected and qualified. All elections hereafter shall be held under the direction of the president and directors of said corporation. The directors shall be annually elected by the stockholders, either in person or by lawful proxy, and each share shall

entitle the holder to one vote until he shall have given twenty votes, and one vote for every ten shares over and above that number.

SEC. 11. All elections shall be by ballot, and the nine having the highest number of votes shall be directors, and should any two or more persons have an equal number of votes, then and in that case those who are duly elected shall determine by lot among those having an equal number of votes, who shall be directors; and all vacancies that may happen amongst the directors shall be filled by the remaining directors, or a majority of them. Five directors shall at all times be a quorum to do business for said company.

Directors, how elected

SEC. 12. Said directors may require the payment of the capital of said corporation, at such times and in such proportions, as to them may seem best calculated to promote the interest of said corporation: *Provided*, That notice shall be given of the time and place such payment will be required and the proportion required at least sixty days previous to such payment being made, in some public newspaper published in this State, and in such other towns and cities where any stock may have been subscribed.

Directors may require payment of stock
Proviso.

SEC. 13. It shall be lawful for said corporation to enter upon and take possession of and use such lands and real estate as may be indispensable for the construction and maintenance of said rail-road, and may also hold and dispose of such lands as they may purchase and receive under the provisions of this act: *Provided*, In all cases when real estate is taken for the use of said corporation, the owner or owners of the same shall be entitled to pay for the same in damages, if any be claimed by said owner or owners, which damages shall be ascertained in the same manner as damages in case of public roads running through the land of individuals, or in any other way agreed on by the parties, in which case the damages shall be payable on demand, together with six per cent. interest per annum until paid.

Corporation may hold land

Proviso

Damages to be ascertained, & paid

SEC. 14. The said corporation is hereby authorized to determine the width and dimensions of said rail-road, if the same does not exceed twenty poles in width, together with the necessary premises thereunto, and shall have power to regulate the time and manner in which goods, property and passengers shall be taken and carried upon said rail-road, as also the manner of collecting their tolls and dues for such transportation.

Dimensions of rail-road

SEC. 15. That the county of Vermilion or State of Illinois, after and from ten years from the completion of said rail-road, may purchase from said company at any time thereafter their right and privileges under this act,

State or county have a right to purchase rail-road

by paying to the said company the cost of the same, together with six per cent. interest per annum thereon, with a view to which the said board of directors shall, after completing said rail-road, make out a full statement in detail of all the expenses incurred in completing the same, which said statement shall be sworn to by the president of the board, and filed with the clerk of the county commissioners' court of Vermilion county.

Expenses, how paid **SEC. 16.** The expenses incurred by the commissioners, appointed under this act, shall be paid out of any moneys received by them for the subscription of stock.

Act a public act **SEC. 17.** This act shall be taken and received as a public act by all courts, and shall be construed liberally for all beneficial purposes therein intended; and all real estate, conveyed by said corporation, shall be signed by the president of the said corporation, and shall have affixed thereunto the seal of the said corporation.

Persons injuring road forfeit **SEC. 18.** If any person or persons shall willfully do or cause to be done any act or acts whereby to obstruct, injure or endanger any machine, engine, or any other property belonging to said company, the person or persons so offending shall forfeit and pay for every such offence to the said corporation double the amount of damage done or sustained by means of such offence, recoverable in the name of the president and directors of said corporation, with costs of suit by an action of debt, to be brought in any court having jurisdiction thereof, and the person so offending shall also be liable to an indictment for high crime and misdemeanor, and punished as in other cases of this kind.

Liablie to indictment **SEC. 19.** It shall be lawful for any other rail-road company now incorporated, or which may hereafter be incorporated, to join and unite with the rail-road hereby created at any point at which the directors of the said companies may think advisable, on such terms as the directors of the companies respectively may agree upon; and in case of a disagreement between the directors of the said companies, then, upon such terms as the circuit court of Vermilion county, in this State, shall, upon a full view of the premises and facts connected with the case, determine to be equitable and just between the said companies.

Rail-road stock considered personal property **SEC. 20.** The stock of said rail-road shall be considered as personal property, and may be taken for any debt due from any of the stockholders; and the mode of suing said corporation shall be by summons, and the service thereof shall be by delivering a copy of the same to the president, secretary or treasurer of the said corporation, or in case of their absence, at their place of residence; which said summons shall be served not less than fifteen nor

more than thirty days from the day set for trial; and the president of said board shall, when called upon by an officer having an execution against any stockholder, disclose to said officer the number of shares owned by such person; and when any sale of such shares is made by an officer under execution, the president of the said board shall make the necessary transfer to the purchaser, and give a certificate for the same: *Provided*, All demands made against said corporation shall be made at their office or place of doing business.

SEC. 21. That if at any time this corporation shall act contrary to the provisions of this act, or shall in any manner abuse the powers herein granted, it shall be the duty of the attorney general on complaint being made to him in writing, signed by six responsible citizens, setting forth the causes of such complaint, to file an information in the nature of a quo warranto for the purpose of annulling this act and the powers herein granted, which information shall be filed in the circuit court of Vermilion county, but subject to appeal to the supreme court of this State as in other cases.

SEC. 22. The company incorporated under this act shall be entitled to all the privileges hereby granted, for the term of fifty years, and no longer.

SEC. 23. In case it should happen, that an election of directors at any time shall not take place at the time when, pursuant to this act, it ought to have taken place, the said corporation shall not for that cause be dissolved; but such election may take place at any other time directed by the by-laws of said corporation, within three months after the time when it should have been held.

APPROVED 1st March, 1837.

AN ACT to incorporate the President and Trustees of the Jerseyville Academy. In force March 1, 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the persons hereafter elected pursuant to the provisions of this act and their successors, be and they are hereby created a body politic and corporate, to be styled the "President and Trustees of the Jerseyville Academy;" and by that name to remain in perpetual succession, with power to sue and be sued, plead and be impleaded, to acquire, hold and convey property real and personal; to have and use

- To have a common seal. a common seal, and the same to break, alter and renew at pleasure; to make and alter from time to time such by-laws as they may deem necessary for the government and regulation of the said institution, its officers, servants and property: *provided*, Such by-laws are not inconsistent with the constitution and laws of this state or of the United States.
- Make by-laws.
- Proviso.
- Shall consist of five. SEC. 2. The trustees of said institution shall consist of five persons, who together with the president, shall be elected by the stockholders annually on the first Monday of April in each year, and shall hold their offices until their successors are duly elected and qualified. The elections shall be held in the town of Jerseyville. All elections shall be by ballot, and may be made personally or by proxy, and conducted in such manner as may be directed by the by-laws of said institution.
- Elected annually.
- Hold their office till others are elected.
- Vote by proxy.
- Shall have power to fill vacancies. SEC. 3. The directors of said institution shall have power to fill all vacancies which may occur from time to time in their body, either by death, resignation or otherwise.
- President and trustees may hold the property of institution. SEC. 4. The said president and trustees shall hold the property of said institution solely for the purposes and advantages of said institution and of education, and the promotion of literature and science in the said academy; and no particular religious faith shall ever be required of those who may become presidents and trustees, students, pupils, teachers, officers or servants of said institution.
- No religious faith required of any officers or other persons.
- Shall be located at Jerseyville. SEC. 5. Said institution shall be permanently located in or within one quarter of a mile of the limits of the town of Jerseyville, in Greene county in this state; and the said president and trustees shall be competent in law and equity to make to themselves and successors in office in their said corporate name and capacity, any estate real, personal and mixed, by the gift, grant, bargain and sale, conveyance, will, devise or bequest, of any person or persons, body corporate and politic whatsoever; and the same estates whether real or personal, to grant, bargain and sell, convey, devise, let, place out on interest, or otherwise dispose of, for the sole and separate use and benefit of the said institution, in such manner as shall seem to them most beneficial [for] the interest of the said institution. The said president and trustees shall faithfully apply all funds by them collected and received, according to the best of their judgment, in erecting and completing a suitable building or buildings, supporting the necessary officers, instructors or servants, and in procuring books, maps, charts, globes, philosophical and other apparatus, necessary to the success of said academy; *provided*, nevertheless, That in case any donation, devise, bequest o
- To become perpetual in law.
- Bargain & sell
- Shall apply all funds, to support affairs.
- Apparatus. Proviso.

otherwise, shall be made to the said institution for a particular purpose or purposes, not incompatible with the designs of said institution, and the corporation shall accept the same, every such donation, devise or bequest, shall be applied in conformity with the express conditions prescribed by the donor or devisor.

Donations.

SEC. 6. The trustees shall annually, and as soon as convenient after their election, elect a treasurer and secretary of the board of president and trustees of said incorporation, who shall each be stockholders therein, and who, when elected, and qualified, shall continue in office till their successors are duly elected and qualified. All processes against said corporation shall be by summons, and the service of the same shall be by leaving an attested copy thereof with the president, or at his usual place of residence, at least twenty days before the return thereof. The president and trustees, as well as the treasurer, shall before entering upon the duties of their offices, take an oath or affirmation to fulfil the duties of their offices respectively.

Shall elect a treasurer and secretary.

All process to be by summons

Twenty days before returnable.

All officers shall take oath

SEC. 7. The said president and trustees shall have power to employ and appoint a principal of said institution, and all such instructors and instructresses, and also such servants as may be necessary, and shall have power to displace any or either of them as they may deem to the interest of said institution, and the cause of education therein to require; and to fill vacancies that may happen by death or otherwise, among said officers or servants. The lands within the jurisdiction of this state, held in perpetuity by the said corporation, shall not exceed one quarter section of land at any one time, and if donations in lands be received at any time by said corporation, the same may be held in trust by the said president and trustees, and shall be sold within five years from the date of such donation, for the benefit of said institution, and, in failure thereof, the lands so given shall revert to the donor or grantor of the same or to their heirs.

Shall have power to employ teachers and others.

To fill vacancies.

Shall not hold at one time more land than one quarter section.

SEC. 8. The president and trustees shall meet semi-annually or oftener if they shall deem proper at the academy, after the same shall be erected, and it shall be the duty of the secretary to attend all the meetings of the board, and keep and preserve a fair and correct record of their proceedings. A majority of the board shall constitute a quorum for the transaction of all business relative to said institution.

Shall meet semi annually

at the academy

Duty of secretary to attend all meetings & record proceedings.

SEC. 9. That on the payment of twenty dollars to the treasurer of the said institution, every such person shall be considered a stockholder, and shall be entitled to one vote for every share of said corporation in all elections;

Twenty dollars shall constitute a person stockholder.

and it shall be lawful for each and every stockholder for the time being, of the said institution, his or her executors and administrators or assigns, to give, sell, devise and dispose of their respective rights or shares in the said Academy, and their respective assignees shall be stockholders of said institution, and shall be entitled to all the rights and privileges in said institution, as the original stockholders are entitled to by this act.

Sell rights.

SEC. 10. That John W. Lott, George H. Collins, Benjamin L. Yates, Alexander H. Burritt, Joseph Gerrish, Richard Graham, Samuel L. McGill, and Edward M.

Commissioners shall give receipts

Daley, of the county of Greene, be and they are hereby appointed commissioners to solicit and receive subscriptions of stock to said institution, and give receipts for the first instalment to be paid on subscriptions of stock to said Academy, and give a receipt for the same, to be paid on subscription; and when the sum of six hundred dollars shall be subscribed for, the said commissioners or any three of them, are hereby authorized to give public notice, by posting up advertisements at four public places

Shall advertise in four places.

in the county, of the time and place of holding an election for president and trustees of said institution, and that said

Election.

election be held in the town of Jerseyville, at such place as the commissioners may direct, and that the said commissioners or any three of them, are hereby appointed judges

Judges of election

of the first election, and are authorized and empowered to hold the same. The first election to be held on such day

First election.

as the said commissioners may direct, but afterwards the annual elections shall be held on the first Monday in March, in each year thereafter, at the Academy as soon as erected. That each stockholder shall be required to

\$2 to be paid at the time of subscribing.

pay to the commissioners two dollars on each share by him subscribed at the time of subscribing, and the residue at such time or times as the president and trustees shall

Negligence to pay shall forfeit

direct; *provided*, that any stockholder neglecting or refusing to pay the balance due on any share or shares, shall forfeit to said institution all money previously paid on such share or shares so neglected.

SEC. 11. All sales of real or personal property or evidence of indebtedness, by said incorporation, must be

Secretary shall attest.

signed by the president and attested by the secretary, and when thus signed and attested, they shall be binding on said incorporation according to the true intent and meaning of the same, and not before.

President and trustees or any three of them shall be judges.

SEC. 12. That after the first election for president and trustees, the president and trustees shall act as judges of election, or any three of them shall and may act as the board of election.

SEC. 13. That the academy when erected and in opera-

tion, shall at all times be open for the use and privilege of any free white person within the United States, who may wish to be instructed in said academy; *provided*, Said white person will comply with the laws and by laws of said institution, and pay the sums fixed by the president and trustees for the instruction of the students or pupils attending at the same.

Academy shall be free. *Proviso.*

SEC. 14. That in case it should so happen that an election for president and trustees should not take place on the day on which it should take place according to law, the said corporation shall not for that cause be deemed dissolved, but that it shall be lawful, on any other day, to hold an election in the place of the one omitted to be held, in such manner as may be prescribed by the by-laws of said incorporation.

In case of no election, corporation shall not be dissolved. Election may be held according to by-laws.

SEC. 15. The president and trustees shall make an annual dividend of all profits which may arise by said incorporation, if there should be any surplus, after defraying the expenses of said institution, unless the said president and trustees shall deem it to the interest of said institution to have all of the funds arising therefrom paid out in improving or repairing said buildings, or in purchasing books, or whatsoever else for the benefit or interest of said corporation.

Shall make annual dividends.

SEC. 16. This act to take effect and be in force from its passage.

APPROVED March 1, 1837.

An act to incorporate the Chicago and Fox River turnpike road company.

In force March 1, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That Horatio G. Loomis, James Kinze, Isaac D. Harmion, J. McCarty, R. M. Sweet, John Berry, Sherman King, Pierce Downer, Francis C. Sherman, Benjamin Douglass, Hiram Pearsons, Zephna Lake, John R. Livingston, John Holbrook, George W. Snow, and R. K. Potter, and such other persons as shall become stockholders, are hereby constituted a body politic and corporate by the name of the Chicago and Fox River Turnpike road company, for the purpose of constructing a turnpike road from the town of Chicago, to touch at Berry's point so called, by way of Napersville and to terminate at Aurora, or Fox river.

Corporation created to construct a turnpike.

SEC. 2. The capital stock of said company shall be fifty thousand dollars, which shall be deemed personal property,

Capital stock divided into

shares, may be increased. and shall be divided into shares of fifty dollars each. The said capital stock may be increased to a sum not exceeding one hundred thousand dollars, if the same shall be necessary to the completion of the said road, and the same shall be subscribed for and taken under the directors of the said corporation, in the same manner and under the same directions as is provided by this act, for the subscription of the original stock, which said capital stock shall be assignable and transferrable, under such rules and regulations as the directors of the said company may appoint.

Commissioners to open books for subscription of stock.

SEC. 3. Horatio G. Loomis, Joseph Naper, Julius M. Warren, Zephania Lake, James McCarty, and John Dean Caton, are hereby appointed commissioners to receive subscriptions to the said capital stock, and grant certificates of the same, whose duty it shall be at some suitable places in the town of Chicago, and the village of Naperville in the county of Cook, and at such other places as they may deem expedient, to open books and receive subscriptions of stock, which books shall be kept open during three successive days, but no subscription shall be received unless two dollars shall be paid on each share at the time of subscribing. At least fourteen days notice shall be given by the said commissioners, of the time and place of opening the books, by an advertisement in one of the public newspapers printed in the town of Chicago, where such books shall be opened.

May open books, call meetings of stockholders for electing officers

SEC. 4. If fifty thousand dollars of the said stock shall not be subscribed within the said three days, the commissioners may again open the books at such other times and places as they may deem proper, and when such stock shall be subscribed, it shall be the duty of the commissioners to call a meeting of the stockholders for the purpose of choosing nine directors, by giving at least fourteen days notice thereof, in one of the newspapers printed in the said county of Cook. Three or more of the said commissioners shall preside at such election, and each stockholder shall be entitled personally or by proxy, to one vote for every share of stock owned by him. The directors so chosen shall hold their offices until the first Monday in January next following, which shall be the day for choosing directors in each year after such first election.

Term of office.

SEC. 5. The said corporation shall make a good and sufficient road, and shall make the arch of the said road twenty two feet in width, and shall lay out the said road sixty feet in width, and shall construct the same of such materials as the natural surface of the ground may afford. The said corporation shall not be invested with any other powers than are necessary for the purpose of making the said turnpike road and bridge, and for keeping the same in repair, and for receiving the tolls thereon.

Width of road and quality of materials.

SEC. 6. Whenever five miles of the said road shall be finished according to the provisions of this act, the said corporation may erect a toll gate thereon, and demand and receive tolls for passing the same, at the rates hereinafter mentioned, and when any other five miles of the said road shall in like manner be finished, a toll gate may be erected thereon, with like powers.

May erect toll gates and receive tolls.

SEC. 7. If the said corporation do not within two years after the passage of this act, complete three miles of the said road, and within five years thereafter complete the whole of the said road, then this act shall cease and be no longer in force.

Part of road to be completed within three years.

SEC. 8. William B. Ogden, George M. Dole, Gurdon S. Hubbard, Walter L. Newberry, and John H. Kinzie, are hereby constituted a body politic and corporate, with a capital not exceeding fifteen thousand dollars, for the purpose of making a turnpike road to connect with the aforesaid turnpike road, and to terminate at the west end of Kinzie street in the said town of Chicago, and they shall be entitled to the same privileges, and rates of toll per mile as is allowed by this bill, to the Chicago and Fox river turnpike road company, which said capital stock of fifteen thousand dollars, may be divided into shares of one hundred dollars each, and made transferrable and assignable in such manner as the said William B. Ogden, George W. Dole, Gurdon S. Hubbard, Walter L. Newberry, and John H. Kinzie, their successors and assigns, may direct.

Corporation created to construct a turnpike road, their powers and privileges.

SEC. 9. On each ten miles of the Chicago and Fox river turnpike road, when completed according to the provisions of this act, the company may erect one full toll gate or two half toll gates, and demand and receive thereat, from persons travelling the said road, the following tolls per mile, for passing any full toll gate, and half that sum for passing any half toll gate, to wit: for every bull, bullock, ox, or heifer, two mills; for every sheep or hog, one mill; for every cart or four wheeled carriage drawn by two horses or other beasts, two cents and five mills; and for every additional horse or other beast, five mills; for every carriage drawn by one horse or other beast, one cent and five mills; for every pleasure carriage drawn by two horses, two cents; for every sleigh or sled drawn by two horses or other beasts, one cent; for every sleigh or sled drawn by one horse, five mills; and for every horse or mule led or driven, three mills.

May erect toll gates and receive toll, the amounts of toll to be received.

SEC. 10. The said Chicago and Fox river turnpike road company, be and they are hereby authorised to erect a toll bridge across the Des Plaines river, at the place where the said turnpike road shall cross the said river, and keep the same in good repair, and shall allow at all times a spee-

Authorised to erect a toll bridge across Des Plaines.

May erect toll gate and receive toll, and rates.

dy passage to all persons, and their property over it, upon the receipt of the toll as hereinafter provided by this act; the said bridge shall be built in a good and substantial manner, and kept in good repair, and when the said bridge shall be completed, the said Chicago and Fox river turnpike road company shall have the right to place at either end of such bridge, a toll gate, and they are hereby authorised to ask and demand from all persons crossing the same, the following rates of toll, to wit: for each score of hogs, sheep, or goats, twenty-five cents; for each mule, ass, or horse, four cents; for each head of cattle, four cents; for each horse and wagon or other vehicle, twelve and a half cents; for each wagon or other vehicle drawn by two horses or oxen, twenty-five cents; for each wagon or other vehicle drawn by more than two horses or oxen, thirty seven and a half cents; for each man and horse, six and a quarter cents, and for each footman one cent.

Commissioners to survey and locate road, & make report of location.

SEC. 11. That Julius M. Warren, Richard M. Sweet, and Isaac D. Harmion, all of the county of Cook, shall be and they are hereby appointed commissioners to survey and locate the said turnpike road authorised by this act, who shall make a report of the location of the said road, and file the same with the clerk of the county commissioners court for the county of Cook.

Corporation to be in force 20 years.
Proviso.

SEC. 12. The said Chicago and Fox river turnpike road company shall be and remain incorporated by virtue of this act for twenty years, and not longer; *Provided*, The county commissioners for the counties through which the said Chicago and Fox river turnpike road company passes, shall assume the said road, and pay the stockholders of the same, the appraised value of the said road: two appraisers shall be named by the county commissioners, and the third by the stockholders of the said road.

May be repealed.

SEC. 13. This act may be at any time amended or repealed.

APPROVED March 1, 1837.

In force 1st March, 1837.

AN ACT to incorporate the Edwardsville and Chippewa Rail Road Company.

Persons incorporated

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Benjamin F. Edwards, Alexander Trimmer, A. R. Skidmore, Enoch Weathers, Silas Reed, and such other persons as may associate with them, for the purpose of constructing a rail road from Edwardsville to Chippewa in the county of Madison, be,

and they are hereby constituted a body corporate, for the term of forty years, and no longer, by the name of the "Edwardsville and Chippewa Rail Road Company," and by that name may sue and be sued, defend and be defended, in law and equity, in all courts whatsoever, and by that name shall be capable of succession; may have and use a common seal, which they may alter and change at pleasure; and may make and establish such by-laws, rules and regulations, as shall from time to time appear necessary to the said corporation for the government of said corporation; and may transport upon said rail road, property or persons, by the force of steam or animal power, or any mechanical power, or by the combination of the same; to erect toll-houses, and all other buildings for the accommodation of their concerns, and to collect tolls so soon as any part of said rail road shall be finished.

Name thereof
Powers
To have a common seal & make by-laws

And may transport property and persons
Erect toll-houses, &c.

SEC. 2. If the said corporation hereby created, shall not within one year from the passage of this act, commence the construction of said road or way, and expend at least the sum of two thousand dollars thereon, and shall not within ten years from the passage of this act, construct, finish, and put in operation, the said rail road, then the said corporation shall forever cease, and this act shall be null and void.

When to be commenced, &c.,
And when finished

SEC. 3. The capital stock of said corporation hereby created, shall be fifty thousand dollars with liberty for said company, if they shall deem it necessary, to increase the same to one hundred thousand dollars, which shall be divided into shares of fifty dollars each, and which shall be transferrable in such manner as said corporation may direct; and the same shall be deemed personal property.

Capital stock
Shares

SEC. 4. Benjamin F. Edwards, Alexander Trimmer, A. R. Skidmore, Enoch Weathers and Silas Reed, shall be commissioners, the duty of whom, or a majority of whom it shall be, within six months from the passage of this act, at the towns of Edwardsville and Chippewa, to open books and receive subscriptions to the capital stock of said corporation; and twenty days public notice of the time and place of opening such books shall previously be given in a newspaper printed in Alton; and the said commissioners shall, at the time of subscription, by any person or persons for the capital stock of said corporation, require the payment to them, by the person or persons subscribing, of five dollars towards and upon every share of fifty dollars so subscribed, and unless the same shall be paid, the subscription shall be invalid. And in case a greater amount of capital stock shall be subscribed for than fifty thousand dollars, the said commissioners may either retain the subscriptions as an enlargement of the capital stock; *Provid-*

Commissioners to open books, and where
Notice thereof
Amount to be paid upon subscribing
When too much subscribed
Proviso.

- ed*, Said subscriptions do not exceed one hundred thousand dollars, or shall distribute the stock in such a manner [as] a majority of them shall deem most advantageous to the interests of said corporation; but in case the capital stock shall not be subscribed for, then the said commissioners shall be authorized to re-open said books for the subscription of stock, at such times and places, and in such manner, and after such notice, as they or a majority of them shall direct.
- SEC. 5.** Whenever said capital stock shall have been subscribed, and distribution made thereof as aforesaid, or as soon as fifteen thousand dollars of said stock shall be taken, it shall be the duty of said commissioners to give twenty days notice in a newspaper printed in Alton, for a meeting of the stockholders of said company, to meet in Edwardsville, to choose five directors, and such election shall then and there be made by such of the stockholders as shall attend, either in person or by lawful proxy; each share of the capital stock owned ten days previous to the day on which any election for directors shall take place, shall entitle the owner and holder to one vote, either personally or by proxy; said commissioners shall be inspectors of the first election of directors of said company, and shall certify under their hands the names of those duly elected, and deliver over the subscription money, books and papers, to said directors; and the time of holding the first meeting of the directors shall be fixed by the said commissioners.
- SEC. 6.** The directors are hereby authorized to make and cause to be made, such examinations and surveys on the aforesaid rail road route, as they shall deem necessary and proper for the purpose of carrying into effect the object of said corporation; and they are hereby authorized to enter upon, and take possession of, and use, all such lands as may be deemed necessary for the construction and maintenance of said rail road; and may also hold and take, all voluntary grants and donations of land, to aid in the construction, maintenance and accommodation of their said rail road; and all lands entered upon and taken for the use of the said corporation, which are not donated to said corporation, shall be paid for by the said corporation at such price as may be mutually agreed upon by said corporation and the owner or owners of such land; and in case of disagreement the price shall be estimated, fixed and recovered, in the manner provided by law for the recovery of damages happening by the laying out of highways.
- SEC. 7.** When the lands, or other property, or estate of any married woman, infant, or person non compos mentis,
- If not enough subscribed to re-open books
- When stock subscribed, commissioners to give notice of meeting, & where
- Directors to be chosen.
- How to vote
- How meetings to be held
- Directors to cause examinations and surveys to be made
- May enter upon and take lands
- How paid for
- In case of disagreement
- Lands belonging to feme

shall be necessary for the construction of said rail road, the husband of such married woman, and the guardian of such infant or person non compos mentis, may release all damages in relation to the land or estate, to be taken and appropriated as aforesaid, as they might do if the same were holden in their right respectively.

covert or person non compos mentis

SEC. 8. The directors of said company may, on a vote of four-fifths of all the legal votes in said corporation, (sixty days public notice having been given) have power to build a Macadamized road along the same route, in lieu of the rail road hereby provided to be made, with the same powers, rights, immunities and privileges, and subject to the same laws, rules, regulations and responsibilities in reference to all the powers, vested in them as are above provided, for making said rail road, and enjoying the benefits resulting therefrom.

Road may be Macadamized, and how

SEC. 9. Said company shall construct their said rail road across creeks, rail roads, turnpikes and other public ways, so as not to hinder, obstruct or interfere with the passage and free use of such public ways; and if said rail road shall not be so constructed, it shall be lawful for the persons aggrieved to abate the same, in the same manner as is now provided by law for the removal of obstructions to public ways.

Shall be constructed across other roads, & how

SEC. 10. If any person shall wilfully, maliciously or wantonly and contrary to law, obstruct the passage of any car on said rail road, or any point thereof, or any thing belonging thereto, he, she, or they, or any person assisting, shall forfeit and pay to said company for every such offence, treble such damages as shall be proved, before any court competent to try the same, to be sued for in the name and in behalf of said company; and such offenders shall be deemed guilty of a misdemeanor, and liable to indictment in the same manner as other indictments are found, in any county or counties where such offence shall have been committed; and upon conviction, such offender shall be liable to a fine not exceeding five thousand dollars, for the use of such county where such indictment may be found, or may be imprisoned not exceeding one year, at the discretion of the court before whom the conviction may be had.

Obstructing said road

Penalty therefor, how recovered

Indictment

Fine

Imprisonment

SEC. 11. For the purpose of facilitating the construction of said rail road, as contemplated and authorized by this act, the said company is authorized to negotiate a loan or loans of money, to the amount of its capital stock, and to pledge all of its property, real and personal, and all of its rights, credits and franchises, for the payment thereof.

Company authorized to negotiate loan

SEC. 12. The company shall be authorized to loan any part of its funds, at any rate of interest allowed to be ta-

Authorized to make loans

ken by the general laws of the state, in relation to interest upon money, and to take such security for the payment thereof as may be sufficient to secure the same.

SEC. 13. The said corporation shall pay into the treasury of the county of Madison, on the first Monday of January annually, after the election of directors as provided by this act, one-half per cent upon the amount of stock actually employed by said company, as a tax, which shall be in lieu of all taxes or assessments upon the stock and property of said company, for county purposes. The stock employed by said company shall be considered the amount of money expended by the company for the uses and purposes herein authorized.

SEC. 14. The said company shall not be authorized to purchase or hold any real estate, except such as may be required for the construction of the road and the convenient use of the same, and such as may be necessary to obtain timber and materials for the construction and maintenance of said road; and except also, such as may be taken for the payment of debts due, or purchased at sales under decrees or executions in favor of said company; and all real estate taken in payment of debts, or purchased under any execution or decree as aforesaid, shall be sold within three years from the time of purchase, otherwise the same shall be forfeited to the State of Illinois.

SEC. 15. The president or treasurer of said company shall, on the first Monday of January annually, make an affidavit before the clerk of the county commissioners' court, or some justice of the peace of said county, to the amount of capital employed by said company at the time of making such affidavit, and the tax herein authorized shall be assessed upon the amount stated in the affidavit.

APPROVED 1st March 1837.

In force, 1st
March, 1837

AN ACT to incorporate the Washington Manufacturing Company.

Corporation
created

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That John Lindley, Charles S. Dasey, Daniel White, E. A. Whipple, and Elisha Haines, and their associates and successors are hereby declared and constituted a body corporate and politic by the name of the "Washington Manufacturing Company," for the purpose of manufacturing flour, meal, cotton, woollen stuff and goods, lumber, machinery, hemp, flax, and all kinds of

grain, or either of them separately; and by that name, they or their successors shall sue and be sued, plead and be impleaded, contract and be contracted with; they may have a common seal, may change and alter the same at pleasure; may purchase, hold, improve, and sell and convey any estate, real or personal, which may be deemed necessary to carry on the business of said corporation, and the objects of its creation: *Provided*, The real estate of said company shall at no one time exceed one half section of land except such as may be held as collateral security for debts *bona fide* owed to the said corporation, or may become the property thereof by virtue of such indebtedness, which said real estate, except the one half section aforesaid, shall be sold by said corporation within three years from becoming such real estate.

May sue & be sued, and have a common seal
Hold and convey real estate

Proviso.

SEC. 2. The capital stock of said company shall consist of ten thousand dollars, which shall be divided into shares of one hundred dollars each, which capital stock may at any time hereafter, if necessary to carry on the business of said corporation, be increased to an amount not exceeding twenty-five thousand dollars, to be subscribed and taken in the same manner as the original stock.

Amount of Capital stock

SEC. 3. That within two years from the first of April next, it shall be the duty of the directors to have erected, in or near the said town of Washington, a building suitable for a mill house of at least forty feet in width by sixty feet in length, and not less than two stories in height, of durable materials, of brick or wood or both, and to have in progress of completion the mill work adapted to the use of one pair of French burr stones of at least four and [a] half feet in diameter, and a steam engine for the purposes aforesaid of at least thirty horse power, and to proceed as rapidly as possible to the completion of the objects proposed in this act, having in view the durability of the several buildings, the perfection of the machinery, and the ultimate profitable investment of the stock.

Directors to erect a building for a mill house

SEC. 4. All contracts of said corporation shall be subscribed by the president, and tested by the secretary, and binding on the said corporation, without the seal of the same, according to the tenor, effect, true intent, and meaning of this act.

Contracts to be subscribed, and tested

SEC. 5. The persons named in the first section of this act are hereby constituted directors for the time being with the same powers as are given to the directors in this act, and until one half of the stock is subscribed and actually paid in; and when one half of the stock shall have been subscribed for, and actually paid in, they shall

Power of directors

- To appoint inspectors, and their duties
- Notice of elections
- Officers may be elected
- Term of office
- Proviso
- Stock deemed personal property, & transferrable
- Stock may be issued according to by-laws
- Company to keep books, & subject to inspection
- Treasurer to give bond of office
- Directors to pay over money
- appoint two inspectors to superintend the first election, who shall, previous to entering upon their duties, take and subscribe an oath before a justice of the peace, that they will faithfully and impartially discharge their duties as inspectors, and shall give notice to the stockholders of the time when and the place where an election will be held for the purpose of electing a board of directors, which said notice shall be published in some newspaper of the State at least eight weeks successively, previous to the said election.
- SEC. 6. The stockholders may, after said notice, elect by ballot a president, secretary, and three directors, to continue in office one year, and until their successors are appointed; but in case of death or resignation, such vacancy may be filled as the said directors by their by-laws may prescribe: *Provided*, That no stockholder shall have more than one vote in any meeting of said corporation.
- SEC. 7. The stock of said corporation shall be deemed personal property, and assignable and transferrable on the books of the said corporation. But no stockholder, indebted to the corporation, shall be permitted to make a transfer, until such debt be paid, or secured to be paid to the satisfaction of the directors.
- SEC. 8. The stock not disposed of by the commissioners as above named shall and may be issued by the directors for the time being, according to the by-laws and regulations of said corporation.
- SEC. 9. The company shall at all times keep, or cause to be kept, proper books of accounts, in which shall be registered all the transactions of the said corporation, and the same shall at all times be subject to the inspection of the stockholders; and it shall be the duty of the directors, to make annual dividends of so much of the profits of said company as to them, or a majority of them, shall appear advisable; and they shall, when required, exhibit to the stockholders a full and perfect statement of the debts, and such other matters as to the said stockholders may be required.
- SEC. 10. The treasurer elected by said stockholders shall, before entering upon the duties of his office, give a bond to the company in a sum satisfactory to the directors, but may, for any good cause stated on the books of the corporation, be removed by said directors, and another appointed for the remainder of the year, and until his successor is elected.
- SEC. 11. The directors, named in the first section of this act, shall immediately, on the election of the directors, as prescribed in the seventh section of this act, pay over all monies which they may have received for sub-

scriptions for stock in this corporation to said directors elected. But in case of failure in taking up the ten thousand dollars capital stock, as named in this act, at the first opening of the books by the above named directors, then the said directors may, if they, or a majority of them, think it advisable, cause another notice to be published for three weeks in some newspaper, and the books to be opened as before.

Notice to be given

SEC. 12. The said company shall provide a safe and convenient place of deposit for all grain and other materials, to be manufactured or disposed of at their mill, or place of use; and in case said company shall fail so to do, or shall refuse to deliver at all suitable times the property belonging to any person out of and from said mill or factory, after a tender is made to the agent of said company for the manufacture of said property, then the said company shall forfeit treble the amount of the property detained or lost by their negligence, which fact shall be determined by an action on the case in any court having cognizance of the same.

Company to make a place of deposit

Company may forfeit for negligence

SEC. 13. All process against said company shall be served on the president of said company, or left at the mill or factory of the said company; but, if the said mill shall be shut, a copy of the said process may be left at said mill or factory, and placed up in some conspicuous place on said mill, which shall be deemed a good service.

Form of process against company

SEC. 14. This act is hereby declared to be a public act, and shall be construed favorably for the purposes herein contained, and the corporation shall not be dissolved by reason of failure to elect its officers annually: *Provided*, Its officers are elected within six months after the period fixed for such election.

Declared a public act

APPROVED 1st March, 1837.

AN ACT to incorporate the Liberty and Pinckneyville Rail Road Company

In force March 1st, 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That Samuel Maulkes, John Sterns, Harvey Clendennen, Josiah B. Denning, and Gabriel Jones of Randolph county, and James Bradley, Daniel B. Tuttle, and William Limerick of Jackson county, and Humphrey B. Jones, William Edwards, William Murphy, and David Baldrige of Perry county, and their successors in office duly elected as hereinafter direct-

Company incorporated.

- ed, are hereby constituted and appointed a body politic and corporate, and by the name and style of the Liberty and Pinckneyville Rail Road company, shall be able and capable in law and equity, to sue and be sued, plead and be impleaded, defend and be defended, answer and be answered unto, in any court of competent jurisdiction, to make and use a common seal, and the same to alter, change, or renew, at pleasure, and shall be able and capable in law to make contracts and enforce the same, and to make and enforce the necessary by-laws, rules and regulations to enable them to carry into effect the provisions of this act, and the objects contemplated by the same; not inconsistent with the laws and constitution of this State, and of the United States.
- Name.**
- Powers.**
- Capital stock and shares.** SEC. 2. The capital stock of said corporation shall be one hundred and fifty thousand dollars, divided into shares of fifty dollars each.
- Company how organized.** SEC. 3. The above named persons or a majority of them may meet at such time and place as they may agree on, and organize said corporation by electing one of their own body to be president, and after such organization, any three of the board shall form a quorum, but after an election for directors it shall require five to form a quorum.
- Quorum.**
- Power of corporation to appoint agent &c. Other powers.** SEC. 4. The corporation shall have powers to appoint agents, clerks, treasurers, surveyors, engineers, superintendants, artists, and all other officers and persons necessary to carry into effect the objects of this act; they shall keep a journal of their proceedings, in which shall be entered all by-laws, rules, regulations, and all other orders for the payment of such allowances as may be made to their officers and all others in their employ, which journal shall from time to time be read by the board, and if found correct shall be signed by the president, when the president is absent, they may appoint a president pro-tempore, they shall fill all vacancies to their own body.
- Books to be opened for subscription to capital stock.** SEC. 5. The corporation shall cause books to be opened for subscription to the capital stock, at such time and place or places as they may choose, due notice of which shall be given in each of which books the following entry shall be made, "we the undersigned promise to pay the sum of _____ dollars for each share of stock set opposite our names, in such manner and proportions, and at such time and place as the president and directors of the said rail road company may direct, witness our hands this day of _____ A. D. 183 _____."
- Entry in books.**
- Who may subscribe for capital stock.** SEC. 6. It shall be lawful for all persons of lawful age, for the agent of any corporate body, for the agent of any State on behalf of the same, to subscribe for any amount of capital stock. And the books shall be kept open for

such space of time, and at such place or places as the corporation shall choose, and they shall have powers on their own credit to borrow money on such terms as may be agreed on by the parties, the corporation may require such sum of money to be paid at the time of subscribing, not exceeding five dollars on each share as they may think proper, which requisition shall be equal on all, and made known in the notice for opening the books.

Corporation may borrow money

Amount to be paid on each share

SEC. 7. As soon as are subscribed, and five dollars paid on each share, it shall be the duty of the corporation to give two weeks notice thereof, in one of the nearest newspapers printed in this State, and in such notice appoint a time and place for the stockholders to meet and elect seven directors, who shall be stockholders and citizens of this State, which election shall be conducted by two judges appointed by the stockholders present, and the persons having a plurality of votes given and counted in public, shall be declared duly elected. In all elections, each stockholder shall be entitled to a vote for each share not exceeding ten, and for every five shares above ten, and votes may be given by the persons owning the same, or by one of any partners, or by the husband, father, mother, administrators, or executor, trustee or guardian, or by any authorised agent of any corporation or State; and every person having a right to vote, may vote by proxy.

Directors, when elected

Election, how conducted

SEC. 8. It shall be the duty of the directors elected as above, to meet as soon thereafter as they conveniently can, and elect one of their own body president; and the president and directors thus elected, shall continue in office until the next annual election, and until their successors are appointed and organised.

President

SEC. 9. All elections after the first, shall be held on the first Monday of October annually, under the direction of any three stockholders to be appointed by the stockholders present: *Provided*, That if from any cause whatever, there should be no election held on the day appointed by this act, or by the directors for the first election, it shall be lawful to hold the election on another day.

Elections, when held

Proviso

SEC. 10. Certificates of stock shall be given to the stockholders, which shall be evidence of the stock held; they shall be signed by the President, and countersigned by the clerk. The stock shall be transferrable on the books of the corporation only, personally or by an agent, or attorney, or by the trustee, executors, or guardian, but such stock shall at all times be holden by the corporation for any dues from the holders thereof, to the corporation, or for any sum that may thereafter become due on a contract made prior to such transfer.

Certificates of stock, how signed and countersigned
Stock transferable

Corporation
may call in por-
tions of stock
subscribed

20 days notice

Persons failing
to pay amount
of stock subscri-
bed, how liable

Bonds

Powers of cor-
poration to
mark & survey
route

Corporation
may obtain
lands, &c.

May receive
gifts, grants,
&c.

SEC. 11. The corporation shall have powers to call for such proportions of the stock subscribed, not exceeding twenty-five per cent. of the amount of stock, every six months, as they may think proper, to be paid at such time and place as they may designate, by giving twenty days previous notice in some newspaper printed in this State, or by giving written notice to the stockholders. In all such notices the amount on each share demanded, and the time and place of payment shall be set fourth; and if any stockholders shall neglect or refuse to pay such requisition within ten days after the time mentioned for such payment, the corporation may bring suit against such delinquent, for the amount due, in any court of competent jurisdiction, and recover the amount with two per cent. per month interest thereon, for such detention; and if the amount cannot be made on execution, or if such delinquent is out of the State, then the corporation may, three months thereafter, by an order on their books, declare such stock forfeited to the corporation, with whatever amount may have been paid thereon, and the same shall thereby be absolutely forfeited to the corporation.

SEC. 12. The corporation shall require of all officers and others in their employ, bonds with security to their satisfaction, with such penalties as they may think proper, for the faithful performance of their respective duties.

SEC. 13. The corporation, by their agents, shall have full powers from time to time, to examine, survey, mark, and locate the route for a rail road, for a single or double track, commencing in Liberty in the county of Randolph, and running on the best ground for the interest of the company, and convenience of the public, by Pinckneyville in Perry county, to the nearest and most convenient point of junction with the central rail road, with full power in all cases to diverge from a direct line, where more favourable ground can be had for the construction of the said road.

SEC. 14. It shall be lawful for the corporation either before or after the location of any section of the road, to obtain from the person or persons through whose land the same may pass, a relinquishment of so much of said land as may be necessary for the construction and location of the road, as also the stone, gravel, timber or other materials that may be obtained on said route, and may contract for stone, gravel, timber, and other materials that may be obtained from any other land near thereto; and it shall be lawful for said corporation to receive by donations, gifts, grants, or bequests, land, money, labor, property, stone, gravel, wood, or other materials for the benefit of said corporation, and all such contracts, relinquishments, donations, gifts, grants, and bequests made and entered

into in writing by any person or persons, capable in law, to contract, and any contract made in consideration of such location and for the benefit of the corporation, shall be binding and obligatory, and the corporation may have their action at law in any court of competent jurisdiction, to compel the observance of the same; *provided*, That all such contracts, relinquishments, donations, gifts, grants, and bequests, shall be fully and plainly made in writing, and signed by the party making the same.

Contracts binding
Proviso.

SEC. 15. That in all cases where any person through whose landj the road may run, shall refuse to relinquish the same, or where a contract between the said parties cannot be made, it shall be lawful for the corporation to give notice to some justice of the peace in the county where the difficulties occur, that such facts do exist, and such justice shall thereupn summon the owner of said land to appear before him on a particular day, within ten days thereafter, and shall appoint twelve disinterested persons of the neighborhood, who shall, after taking an oath faithfully and impartially to assess the damages, and shall file a report thereof, with such justice, whereupon said justice shall enter judgment thereon, unless for good cause shown, and in case either party should show sufficient cause why judgment should not be entered, the justice may grant a review of the premises, either with or without costs; *provided*, That either party may appeal to the circuit court of the proper county as in other cases, and such court shall appoint reviewers as above directed, who may report at that or the succeeding term, at the discretion of the court, and the judgment of the court shall be final, and the corporation shall thereupon pay the amount of said judgment to the owner or owners, or to the guardian or guardians of such owner or owners, if they are infants, or into the county treasury for the use of such owner or owners if they are unknown.

Any person refusing to relinquish or contract, how corporation shall proceed

Proviso.

SEC. 16. That when said corporation shall have procured the right of way as herein before provided for, they shall be seized in fee-simple of the right to said land, and shall have the sole use and occupancy of the same; and no person, body politic or corporate, shall in any way interfere therewith, molest, or disturb any of the rights and privileges hereby granted, or that would be calculated to detract from or affect the profits of said corporation.

When corporation shall be seized in fee simple

Rights not to be interfered with

SEC. 17. The corporation shall commence the construction of said road, any time within five years, and from time to time construct so much towards the point of destination, as may be within the ability, and to the interest of the company, and shall complete it within ten years from its commencement.

When road to be commenced & completed

Duties of corporation when roads cross the rail road

SEC. 18. It shall be the duty of said corporation whenever any state or county road now established shall cross, or may hereafter cross the rail road, to make and keep in repair, good and sufficient cause ways, so that the free use of said road, shall not be obstructed, and in all cases where any persons shall own land on both sides of said rail road, and there shall not be any causeway for a public road leading from one tract to the other, the owner of such land shall have the right, free of any charge, to cross the same, and to make such causeway as may be necessary for the convenience of such owner; *Provided*, That such owner of land shall not injure or obstruct said road.

Proviso.

Kind of carriages that may be used

SEC. 19. It shall be lawful for said corporation to place on or prescribe the kind of carriages that may be used on said road, whether propelled by steam or other powers, for the transportation of passengers, for all kinds of produce, lumber, goods, wares, merchandise, or any other kind of property, and the corporation may charge and receive such tolls and freights for the transportation of persons, commodities, and carriages on said road, or any part thereof, on bridges connected therewith, as shall be for the interest of the company, and the same to change, lower, or raise at pleasure; *provided*, That the rates established from time to time, shall be posted up in some conspicuous place or places on said road; *provided also*; That if at the expiration of ten years, from and after the completion of said road, the nett income or receipts from tolls taking the ten years aforesaid, as a basis of calculation, shall have amounted to more than twelve per centum per annum upon the cost of the road, the legislature may take measures to alter and reduce the rates of toll in such manner as to take off the overplus for the next ten years, calculating the amount of transportation on the road to be the same as the ten preceding years. At the expiration of every ten years thereafter the same proceeding may be had.

Tolls

Proviso.

Further proviso

When & how rates of toll may be altered

Dividends

SEC. 20. Annual dividends of so much of the profits as the corporation may deem expedient, shall be made on the first Mondays of January annually, unless the directors fix on a different day, and paid to the stockholders as soon thereafter as can with convenience be done; but no dividend shall be made to a greater amount than the nett profits after deducting all expenses; and the directors may reserve such proportion of the profits, as a contingent fund, to meet subsequent expenditures, as they shall deem proper.

Persons injuring works, how liable

SEC. 21. That if any person or persons shall wilfully and knowingly, injure or obstruct, said road, or any part thereof, or shall break, destroy, or deface, any work, edifice, device, toll or warehouse, belonging thereto, such person

or persons so offending, shall pay to the corporation five times the amount of damages actually done, with costs of suit, to be recovered by the corporation before any court having competent jurisdiction; *Provided*, That all actions commenced by the corporation for the recovery of damages, shall be commenced within six months from the time of such cause of action accrued, and not after.

SEC. 22. It shall be lawful for the county commissioners, of each and every county through which said road may pass, for and on behalf of said county, to authorize, by an order, as much of the stock to be taken as they may think proper. County commissioners may take stock

SEC. 23. It shall be the duty of the corporation to cause a full statement of the affairs of the company to be made and exhibited to the stockholders, at every annual election, or at any other general meeting of the stockholders. Statements

SEC. 24. Should the capital herein granted not be sufficient to accomplish the intended work, the corporation may increase the same, and the stockholders may at any general meeting, reduce the number of directors to any number not less than five, three of whom shall form a quorum for business. Capital may be increased, and number of directors reduced

SEC. 25. The corporation shall in no case, directly or indirectly, engage in any kind of trade, or deal in merchandize, other than such as may be necessary to carry into effect the object contemplated by this act; nor shall said corporation, under any pretence whatever, enter into banking business for the purpose of receiving deposits, making discounts, or issuing bills of credits, or bills of receipts, of any description, to pass as a circulating medium. Restrictions upon incorporation

SEC. 26. The charter is limited to forty years duration; and the corporation shall cause to be kept, a fair record of the whole expense of making said rail road, or any section thereof, with all incidental expenses, and also, a fair account of the tolls received; and the directors of said company shall make an annual report, in detail, of their proceedings and expenditures, verified by the affidavit of at least two of them, which report shall be filed in the office of the secretary of State. Charter limited
Directors to make annual reports, to be verified by affidavit

SEC. 27. If the Legislature of this State shall, after the expiration of ten years from the completion of said road, make provision by law for the re-payment to the said company of the amount expended by them in the construction of said road, together with all moneys expended by them for permanent fixtures for the use of said road, with interest on such sums at the rate of ten per cent. per annum, together with all moneys expended by said company for repairs or otherwise, for the purposes of said road, after deducting the amount of tolls received on said road, then When, & upon what condition road to belong to the State

the said road, with all its fixtures and appurtenances, shall vest in and become the property of the people of this State.

Public act

SEC. 28. This act to be in force from and after its passage, and shall be taken to be a public act.

APPROVED 1st March, 1837.

In force 1st
March, 1837.

AN ACT to incorporate the Seminaries therein named.

Body politic &
corporate crea-
ted.

To have suc-
cession.

Number of trus-
tees.

Board of trus-
tees.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That C. J. Satter, Joseph Tanner, William Gallagher, William Carter, Elisha Jenny and Theron Baldwin, and their successors be and they are hereby created a body politic and corporate by the name of the "Trustees of the Waverly Seminary," and by that name and style to remain and have perpetual succession. The said seminary shall be and remain at or near Waverly, in the county of Morgan, and state of Illinois. The number of trustees shall not exceed nine, exclusive of the principal or presiding officer, who shall *ex officio* be a member of the board of trustees, but no other instructor shall be a member of said board. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their pleasure.*

Body politic &
corporate.
Name.

To have per-
petual success-
ion.

Number of
trustees.

Board of trus-
tees.

SEC. 2. That James Reno, John Evans, †Justus Rider, Titus W. Vigus, Alfred W. Cavarly, John Allen and John Russell and their successors, be and they are hereby constituted a body politic and corporate by the name of the "Trustees of the Carrollton Seminary," and by that name and style to have perpetual succession. The said seminary shall be and remain in or near the town of Carrollton in the county of Greene. The number of trustees shall not exceed nine, exclusive of the principal or presiding officer, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be a member of said board. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their discretion.

Fayette semi-
nary.
Shall have suc-
cession.

SEC. 3. That James Black, William Hodge, Asahel Lee, Thomas B. Hickman, N. M. McCurdy, Harvey Lee, John D. Goren and William C. Greenup, and their successors, be and they are hereby created a body politic and corporate, by the name of the "Trustees of the Fayette Seminary," and by that name and style, to remain and have perpetual succession. The said seminary shall be and remain

at or near Vandalia. The number of trustees shall not exceed nine, exclusive of the principal or presiding officer, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be a member of said board. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their pleasure.

SEC. 4. That George Henderson, Nathan Kendall, Chauncey Lee, Henry M. Blanchard, Ransom Swallow, Philip Jarboe, Elijah Lott, Beverly W. Holliday, Calvin Hagar, Wilson J. Drish, William Lane, Cyrus Tolman, Charles Gregory, Henry Robly, Smith Post, Timothy Ladd, Joshua Hanks, John Thompson, Charles Kitchens, John Henderson, Benjamin Smith, Daniel Henderson, and James Henderson, and their successors, be and they are hereby created a body politic and corporate, by the name of the "Trustees of the White Hall Seminary," and by that name and style to remain and have perpetual succession. That said seminary shall be and remain at or near White Hall, in Greene county, Illinois. The number of trustees shall not exceed twenty two, exclusive of the principal or presiding officer, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be a member of said board. For the present the aforesaid individuals shall constitute the board of trustees.

SEC. 5. That Isaac W. Hallam, J. Hinton, J. C. Goodhue, George W. Snow, J. M. Strode, Ebenezar Peck, John H. Kinzie, James H. Collins, J. B. Beaubien, D. Brainard, William H. Brown, E. D. Taylor and J. W. C. Coffin, and their successors, be and they are hereby created a body politic and corporate by the name of the "Trustees of the Chicago Seminary," and by that name and style to remain and have perpetual succession. The said seminary shall be and remain at or near Chicago, in the county of Cook, and the state of Illinois. The number of trustees shall not exceed thirteen, exclusive of the principal or presiding officer, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be a member of said board. For the present the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their pleasure.

SEC. 6. That H. R. Norfolk, William Cullam, Thomas B. Ross, S. B. Shelledy, Isaac Lewis, C. S. Morton, James Adkins, Nathan Ellington, Samuel Owens, Andrew Clark, William Frost, Daniel Barhum, Levi Flener, David Winkler, John Martin, James A. Mitchell, James Ashmore, Reuben Canterberry, James Hitc, William Allison, Lewis W. Tine and Joel Conely, and their successors, be and they are hereby created a body politic and corporate,

Trustees of
Charleston
seminary.

by the name and style of the "Trustees of Charleston seminary," and by that name and style to remain and have perpetual succession. The said seminary shall be and remain at or near Charleston, in Coles county; the number of trustees shall not exceed twenty-one, exclusive of the principal or presiding officer, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be a member of said board. For the present the aforesaid individuals shall constitute a board of trustees.

Equality semi-
nary.

SEC. 7. That John Lane, Leonard White, Daniel Curtain, Charles Guard, Dr. A. B. Dake, William Hick, John Crneshaw, Daniel Wood and Samuel D. Hawk, and their successors, be and they are hereby created a body politic and corporate, by the name and style of the "Trustees of Equality Seminary," and by that name and style to remain and have perpetual succession. The said seminary shall be and remain at or near Equality, in the county of Gallatin, and State of Illinois; the number of trustees shall not exceed nine, exclusive of the presiding officer, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their pleasure.

Lewiston semi-
nary.

Succession.

No. of trustees.

SEC. 8. That Stephen Dewey, Stephen H. Pitkin, Truman Phelps, Myron Phelps, Albert S. Miller, Newton Walker, William Proctor, Roger Veats, John P. Boid, Patrick H. Hart, Joseph Sharp, William Johnson, Hugh Lamaster, and John McNeal, and their successors, be and they are hereby created a body politic and corporate, by the name and style of the "Trustees of the Lewiston Seminary," and by that name and style to remain and have perpetual succession. The said seminary shall be and remain at or near Lewiston, in the county of Fulton, and state of Illinois; the number of trustees shall not exceed fifteen, exclusive of the presiding officer, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their pleasure.

Jacksonville
seminary.

SEC. 9. That John T. Jones, William Brown, Truman M. Post, Otway Wilkinson, Matthew Stacy, and Fleming Stephenson, and their successors, be and they are hereby constituted a body politic and corporate by the name of the "Trustees of the Jacksonville Seminary," and by that name and style to remain and have perpetual succession. The said seminary shall be and remain in the town of Jacksonville, in Morgan county; the number of

trustees shall not exceed nine, exclusive of the principal or presiding officer, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be a member of said board. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their pleasure. No. of trustees.

SEC. 10. That David Watt, Thomas Kibbey, Zalmon Carter, Ira Rowan, Levi Harlan, Thomas L. Killpatrick and Edward G. Minor, and their successors, be and they are hereby constituted a body politic and corporate, by the name of the "Trustees of the Winchester Seminary," and by that name and style to remain and have perpetual succession. The said seminary shall be located in the town of Winchester, in Morgan county; the number of trustees shall not exceed nine, exclusive of the principal or presiding officer of the institution, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be a member of said board. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies in said board. Winchester seminary.
No. of trustees

SEC. 11. That Archibald Job, William Holmes, Stephen Lee, James Stephenson, Amos S. West, Joshua P. Crow; and Reddick Horn, and their successors, be and they are hereby constituted a body politic and corporate by the name of the "Trustees of Sylvan Grove Seminary," and by that name and style to remain and have perpetual succession. The said seminary shall be located at or near sylvan grove, in the county of Morgan. The number of trustees shall not exceed nine, exclusive of the presiding officer of the seminary, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be a member of the board of trustees. For the present, the aforesaid individuals shall constitute the board of trustees who shall fill remaining vacancies in said board. Sylvan Grove seminary.
To have succession.
No. of trustees.

SEC. 12. That David Marks, Joel Sugg, William Stuart; David Hunter, Henry Lee and Jacob Chenworth, and their successors, be and they are hereby constituted a body politic and corporate, by the name of the "Trustees of the Manchester Seminary," and by that name and style to remain and have perpetual succession; that said seminary shall be and remain in the town of Manchester, in Morgan county. The number of trustees shall not exceed nine, exclusive of the presiding officer of the institution, who shall, *ex officio*, be a member of the board, but no other instructor shall be a member of the board. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies in the board at their pleasure. Manchester seminary.
Shall not exceed nine trustees.

SEC. 13. That Milton K. Alexander, Leander Mansel,

Paris seminary
To have suc-
cession.
No. of trustees

James Jones, Abner Paine, Jonathan Mayo, Stephen Miller, and their successors, be and they are hereby constituted a body politic and corporate, by the name and style of the "Trustees of the Paris Seminary," and by that name to remain and have perpetual succession. The said seminary shall be located in the town of Paris, in Edgar county; the number of trustees shall not exceed nine, exclusive of the presiding officer of the institution, who shall, *ex officio*, be a member of the board of trustees, but no other instructor shall be a member of the board. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies in the board at their pleasure.

Beardstown
seminary.
No. of trustees

SEC. 14. That Thomas Wilbourne, Thomas Graham, Thomas Pogue, B. W. Schneider, O. M. Long, Moses Perkins, and Francis Avery, and their successors, be and they are hereby constituted a body politic and corporate, by the name of the "Trustees of the Beardstown Seminary," and by that name and style, shall remain and have perpetual succession. The said seminary shall be and remain in the town of Beardstown, in Morgan county. The trustees of said seminary shall not exceed nine, exclusive of the presiding officer of the institution, who shall, *ex officio*, be a member of the board of trustees. For the present, the aforesaid individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their pleasure.

Objects of in-
stitution.

SEC. 15. The primary objects of the said institution shall be the education of the youth of the country, and to fit and prepare them for the various duties of life.

Perpetual suc-
cession
To have a seal

SEC. 16. The corporate powers hereby bestowed shall be the following, viz: To have perpetual succession; to make contracts; to sue and be sued, plead and be impleaded, and to grant and receive by their corporate names; to accept, acquire, purchase or sell property, real, personal, or mixed, in all lawful ways; to use, employ, manage and dispose of all such property and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the objects above mentioned; to have a common seal, and alter and change the same at pleasure; to make such by-laws for the regulation of said institution as are not inconsistent with the constitution and laws of this state.

To regulate the
course of stu-
dies.

SEC. 17. The trustees of said corporation shall have authority from time to time, to prescribe and regulate the kind and course of studies to be pursued in said seminaries; to fix the rate of tuition and other academical expenses; to appoint instructors and such other officers and agents as may be necessary, in managing the concerns of the institu-

tions; to define their duties; to fix their compensation, and to displace or remove them; to erect necessary buildings; to purchase books, chemical and philosophical apparatus, and other suitable means of instruction; to make rules for the general management of the affairs of the institution, and for the regulation of the conduct of the students.

To fix compensation of instructors.

SEC. 18. The trustees, for the time being, in order to have perpetual succession, shall have power to fill any vacancy which may occur in the board, from death, removal out of the state, resignation or other cause. A majority of the trustees for the time being, shall be a quorum to do business.

To fill vacancies.

Majority shall be a quorum.

SEC. 19. The trustees of said institution shall appoint treasurers' bonds, with such security, in such penalty, and with such conditions as the said boards may prescribe.

SEC. 20. The said institution shall be opened to all denominations of christians, and the profession of any particular religious faith shall not be required of those who become students. All persons, however, may be expelled or suspended from said institutions by the trustees thereof, whose habits are idle or vicious, or whose moral characters are bad.

Open to all christians. No faith required.

SEC. 21. The lands, tenements, and hereditaments, to be held in perpetuity by either of said corporations, shall not exceed six hundred and forty acres; *provided however*, That if any donations, grants, devises in lands, shall from time to time be made to either of said corporations, over and above the six hundred and forty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said corporation, for the period of five years from the date of any such donation, grant, or devise, at the end of which time, if the said lands shall not have been sold by said corporation, then and in that case the said lands so donated, granted or devised, shall revert to the donor, grantor, or the heirs of the devisor of the same.

Proviso.

Donations. Grants.

SEC. 22. The provisions of this act, shall be considered as applicable to each of the corporations created as a separate and distinct body.

APPROVED 1st March, 1837.

AN ACT to incorporate Saint Mary's College.

In force March 1st. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That David Greenleaf, Reuben Graves, John R. Nichols, James King, Ethan

Body created	Kimball, William Lafou and Wesley Williams, and their successors, be, and they are hereby created a body politic and corporate, to be styled and known by the name of the "Trustees of the Saint Mary's College," and by that style and name to remain and have perpetual succession. The said College shall be and remain at or near Saint Mary's, in the county of Hancock and State of Illinois. The number of trustees shall not exceed twelve, one of whom shall be president of the board, to be chosen by the trustees. For the present the above named individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their discretion.
Name	
Where located	
No. of trustees	
To fill vacancies	
Object	SEC. 2. The object of said corporation shall be the promotion of the general interests of education.
Corporate powers	SEC. 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said object, and such as are usually conferred on similar bodies corporate, to wit: To have perpetual succession; to make contracts; to sue and be sued, plead and be impleaded; to grant and receive by its corporate name, and to do all other acts as natural persons may; to accept acquire, purchase or sell property, real, personal or mixed, in all lawful ways; to use, employ, manage, and dispose of all such property, and all money belonging to said corporation, in such manner as shall seem to said trustees best adapted to promote the object before mentioned; to have a common seal, and to change or alter the same; to make such by-laws for its regulation as are not inconsistent with the constitution and laws of the United States, or of this state; and to confer on such persons as may be considered worthy, such academical or honorary degrees as are usually conferred by similar institutions.
To have succession, and make contracts	
To hold & sell property	
To have a seal	
To make by-laws	
Confer degrees	
Prescribe studies	SEC. 4. The trustees of said corporation shall have authority, from time to time, to prescribe and regulate the course of studies to be pursued in said college; to fix the rate of tuition and other expenses; to appoint instructors and such other officers and agents as may be necessary in managing the concerns of said institution; to define their duties; to fix their compensation and displace or remove them; to erect necessary buildings; to purchase books, chemical and philosophical apparatus, and other suitable means of instruction; to make rules for the general management of the affairs of the institution, and for the regulation of the conduct of the students.
Appoint officers	
Define duties	
Apparatus.	
To fill vacancies	SEC. 5. The trustees for the time being, in order to have perpetual succession, shall have power to fill any vacancy which may occur in the board from death, removal, resignation, or any other cause. A majority of the trustees for the time being shall be a quorum to do business.
Quorum	

SEC. 6. It shall be the duty of the said trustees to appoint one of their number treasurer to the board, who shall be required to give bond with sufficient security, in such penal sum as the board may prescribe, conditioned for the performance of such duties as the by-laws may require of him.

Treasurer to give bond an security

SEC. 7. Said institution shall be open to all denominations of christians; and the profession of any particular religious faith shall not be required of those who become students; all persons however may be suspended or expelled from said institution by the trustees thereof, whose habits are idle or vicious, or whose moral character is bad.

Open to all denominations

Persons may be suspended

SEC. 8. The lands, tenements and hereditaments, to be held in perpetuity by virtue of this act, by said corporation, shall not exceed six hundred and forty acres; *Provided, however,* That if any donations, grants or demises in land, shall from time to time be made to said corporation, over and above the said six hundred and forty acres which may be held in perpetuity as aforesaid, the same may be received and held by the said corporation, for the period of five years from the date of any such donation, grant or demise; at the end of which time, if the said lands shall not have been sold by the said corporation, then, and in that case, the said land so donated, granted or demised, shall revert to the donor, grantor, or the heirs of the deviser of the same.

Proviso

May hold land 5 years

Lands not sold to revert

SEC. 9. That the trustees of said institution shall be authorized, at any time when they may deem the public good requires it, to establish and adopt the manual labor system, and conduct the same in such manner as may be to the interest of the institution and the benefit of the students.

Manual labor system

SEC. 10. That no religious doctrine peculiar to any one sect or denomination of christians, shall be inculcated by any professor in said college, but said institution shall at all times be conducted upon free, liberal and enlightened principles; and that nothing herein contained shall be so construed as to authorize the trustees at any time to establish a theological department in said College.

No religion to be inculcated

To be on liberal principles

APPROVED 1st March, 1837.

AN ACT to incorporate the Kaskaskia Reil Road Company.

In force March 1, 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Pierre Menard, Nathaniel Popc, Edward Humphreys, John P. McGinnis, Hippolite Menard, Miles A. Gilbert, William Brews:

ter, John A. Langlois, James Hughes, and David J. Baker, and their associates, successors, and assigns, be and they are hereby made a body politic and corporate, under the name of the "Kaskaskia Rail Road Company," and by that name shall be and are hereby made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in any court or place whatsoever; to make, have, and use a common seal, and the same to renew and alter at pleasure; and by that name and style be capable in law of contracting and being contracted with, and of purchasing, holding, and conveying real and personal estate for the uses and purposes of said corporation; and shall be and are hereby vested with all the privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act, as hereinafter set forth. And the said corporation are hereby authorised and empowered to locate and finally complete a rail road, with a single or double track, commencing at or near the Kaskaskia Landing, on the Mississippi river, and running thence east to a point on the Kaskaskia river, at or near the town of Kaskaskia, in the county of Randolph, in such manner and form as they shall deem most expedient; and for this purpose said company are hereby authorised to lay out their road not exceeding ten rods wide through its whole length; and for the purpose of cutting embankments, and procuring timber, stone, or gravel, may take as much more land as may be necessary for the proper construction and security of said road: *Provided, however,* That all damages that may be occasioned to any person or corporation by the taking of such lands or materials for the purposes aforesaid, shall be paid for by said company in the manner hereinafter provided.

SEC. 2. The capital stock of said company shall consist of five hundred shares; and the immediate government and direction of the affairs of said company shall be vested in a board of not less than five directors, who shall be chosen by the members of the corporation in the manner hereinafter provided, and shall hold their offices until others shall be duly elected and qualified to take their places as directors; a majority of whom shall form a quorum for the transaction of business, shall elect one of their member to be president of the board, who also shall be president of the company; and shall have authority to choose a clerk, who shall be sworn to the faithful discharge of his duty, and a treasurer, who shall give bond to the corporation, with sureties to the satisfaction of the directors for the faithful discharge of his duty.

SEC. 3. The president and directors for the time being, are hereby authorised and empowered, by themselves or

Constituted a
body politic
and corporate

Their powers
and privileges

To construct
rail road

Proviso

Amount of cap-
ital stock.

President of
board to ap-
point clerk

their agents, to exercise all the powers herein granted to the company, for the purpose of locating, constructing and completing said rail road, and for the transportation of persons, goods, and merchandise, and all such powers and authority for the management of the affairs of the company, not heretofore granted, as may be necessary and proper, to carry into effect the objects of this company; to purchase and hold lands, materials, engines, cars, and other necessary things, in the name of the company, for the use of the road, and for the transportation of persons, goods, and merchandise; to make such equal assessments from time to time on all shares in said corporation, as they may deem expedient and necessary in the execution and progress of the work, and direct the same to be paid to the treasurer of the company; and the treasurer shall give notice of all such assessments, and in case any subscriber shall neglect to pay his assessment for the space of thirty days, after due notice by the treasurer of said company, the directors may order the treasurer to sell such share or shares at public auction, after giving due notice thereof, to the highest bidder, and the same shall be transferred to the purchaser, and such delinquent subscribers shall be held accountable to the company for the balance, if his share or shares shall sell for less than the assessment due thereon, with interests and costs of sale, and shall be entitled to the overplus, if his share or shares sell for more than the assessment due, with interests and costs of sale: *Provided, however,* That no assessment shall be laid upon any share or shares in said company of a greater amount in the whole than one hundred dollars on a share.

Company to hold lands &c.

To make assessments

Treasurer to give notice of assessments

Proviso

SEC. 4. The said company shall have power to make, ordain, and establish all such by-laws, rules and regulations and ordinances as they may deem expedient and necessary to accomplish the designs and purposes, and to carry into effect the provisions of this act, and for the transfer and assignment of its stock and the conveyance of property, and the well ordering, regulating, and securing of the interest and affairs of the company; *Provided, however,* the same be not repugnant to the constitution and laws of this state or of the United States.

Company to pass by-laws

SEC. 5. A toll is hereby granted and established for the sole benefit of said company upon all passengers and property of all description which may be conveyed or transported upon said road, at such rates per mile as may be agreed upon and established from time to time by the directors of said company, the transportation of persons and property, the construction of wheels, the form of cars and carriages, the weight of loads, and all other matters and things in relation to the use of the said rail road, shall be in con-

Company may demand and receive toll

Proviso

formity to such rules, regulations, and provisions as the directors shall from time to time prescribe and direct: *Provided, however,* That if, at the expiration of ten years from and after the completion of said rail road the nett income or receipts from tolls taken, the ten years aforesaid, as a basis of calculation, shall have amounted to more than twelve per centum upon the costs of the road, the legislature may take measures to alter and reduce the rate of tolls, in such manner as to take off the overplus for the next ten years, calculating the amount of transportation upon the road to be the same as the preceding ten years and at the expiration of every ten years thereafter, the same proceedings may be had: *Provided, further,* That the said rail road shall be commenced within two years from July next, and completed within five years thereafter.

When to commence and complete road

May erect toll gates and other buildings

SEC. 6. The directors of said company for the time being are hereby authorised to erect toll-houses, warehouses, and other necessary buildings, establish gates, appoint toll gatherers, and demand toll upon the road when completed, and upon such parts thereof as shall from time to time be completed.

Company to pay damages

SEC. 7. The said company shall be holden to pay all damages that may arise to any person or persons, or corporation or corporations, by taking their land for said rail road; when it cannot be done by voluntary agreement, to be estimated and recovered in the manner provided for by law; for the recovery of damages happening by the laying out of highways.

Guardian may release damages

SEC. 8. When the lands or other property or estate of any feme covert, infant, or persons *non compos mentis* shall be necessary for the construction of said rail road: the husband of such feme covert, and the guardian of such infant or person *non compos mentis*, may release all damages for any lands or estates taken or appropriated as aforesaid, as they might do if the same were holden by them in their own rights respectively.

Persons injuring any part of road or materials, to forfeit, &c.

SEC. 9. If any person shall wilfully do or cause to be done any act or acts whatever, whereby any building, construction, or work of said corporation, or any engine, machine, or structure, or any matter or thing appertaining to the same, shall be stopped, obstructed, impaired, weakened, injured, or destroyed, the person or persons so offending shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the said corporation treble the amount of damages sustained by means of such offence or injury, to be recovered in the name of said corporation, with costs of suit, by action of debt, and shall be subject

to indictment and punishment for high crimes and misdemeanors as in other cases.

SEC. 10. The annual meeting of the members of said company shall be holden on the first Monday in November in each year at Kaskaskia. At which meeting the directors shall be chosen by ballot, each proprietor being entitled to as many votes as he holds shares; and any two of the individuals named in the first section of this act are hereby authorised to call the first meeting of said company, by giving notice in some public newspaper of general circulation, published in this state, stating the time, place, and purpose of such meeting at least ten days before the time mentioned in such notice.

May be indicted

When and where company to meet

Notice to be given

SEC. 11. If the said rail road in the course thereof shall cross any river, canal, turnpike, or other highway, the said rail road shall be so constructed as not to impede or obstruct the safe and convenient use of such river, canal, turnpike, or other highway.

Road not to obstruct, &c

SEC. 12. It shall be lawful for the legislature of this state at any time during the continuation of the charter of the said rail road after the expiration of twenty years from the completion of the rail road herein provided to be made, to purchase of the said company the said rail road and all the franchises, rights, and privileges of the said company, by paying them for the amount expended in making said road; and in case at the time of purchasing, the said company shall not have received a nett income equal to twelve per cent. per annum on the said expenditures from the time of the payment thereof to the stockholders, by paying the company such additional sums as, together with the tolls which they shall have received from the said rail road, will be equal to the nett profit of twelve per cent per annum, on the cost of said rail road from the date of the payment thereof by the stockholders of the said corporation to the time of such purchase.

State may purchase rail road
May continue rail road.

SEC. 13. The said corporation is hereby authorised and empowered to continue the said rail road, by extending the same through Columbus, in Randolph county to Nashville, in Washington county; which continuation of said rail road shall be commenced within three years from the completion of the rail road authorised in the first section of this act, and subject to the same rules and regulations.

When to commence and complete road

SEC. 14. It shall be lawful for said company to increase their capital stock to an amount sufficient to extend and complete the rail road authorised by this act, or any part thereof, whenever the company shall deem it expedient by a vote of the stockholders, at a meeting specially notified for the purpose, to be assessed to the same amount as the shares which are already created.

May increase capital stock.

SEC. 15. This act to be in force from its passage; and to be deemed a public act.

APPROVED 1st March, 1838.

In force, 1st
March, 1837.

AN ACT to incorporate the town of Juliet, and define its boundaries.

Boundaries of
town of Juliet
Commence at
river Des
Plaines

SEC. 1. *Be it enacted by the people of the State of Illinois; represented in the General Assembly,* That the following are hereby declared to be the boundaries of the town of Juliet in Will county, to wit: Commencing at the river Des Plaines, on the north line of section nine, in township thirty-five north of range ten east of the third principal meridian, and running thence east on said line and the north line of section ten in said township three quarters of a mile, thence southerly to a point on the south line of section fifteen in the same township, three quarters of a mile from said river on said last mentioned line, thence on said line and the south line of section sixteen, in the township aforesaid, to said river, thence across said river, and on the said south line of section sixteen, and on the south line of section seventeen in said township, three quarters of a mile, thence northerly to a point on the north line of said section nine, three quarters of a mile due east from said river, thence easterly to the place of beginning. And the inhabitants of said town, and all within said boundaries, shall be and are hereby constituted a body politic and corporate, by the name and style of the president and trustees of the town of Juliet, and shall be invested with all the powers, and enjoy all the rights and privileges which are conferred upon towns incorporated under an act, entitled "An act to incorporate the inhabitants of such towns as may wish to be incorporated," approved Feb. 12, 1831, so far as said act is not inconsistent with the provisions of this act.

Inhabitants
made a body
politic
Name & style

Divided into 2
wards

What shall
constitute ward
Monies, how
expended

Proviso

SEC. 2. That said corporation shall be divided into two wards. All of said corporation lying east of said river shall constitute the East Ward, and all west of said river shall constitute West Ward, and two at least of the trustees of said town shall reside in each ward, and the taxes collected in the respective wards shall be expended under the direction of the trustees for improvements in said wards respectively: *Provided, however,* That all expenses incident to purchasing and enclosing burial grounds and buildings, and keeping in repair bridges across the Des Plaines river, and the general current expenses of said corporation, shall be paid out of the general fund of said corporation.

SEC. 3. The board of trustees shall have power to purchase for the use of said corporation land for a burial ground; to enclose the same, and make such regulations in regard to the same as they may think proper; to license taverns, groceries, and stores within said corporation; and also to erect and keep in repair across the Des Plaines river, within said corporation, such bridges as the convenience of the inhabitants in said town may in their judgment require: *Provided*, That the General Assembly may repeal, alter, modify, or amend this act at pleasure.

Powers of trustees

May license taverns, &c.

Proviso.

APPROVED 1st March, 1837.

AN ACT to incorporate the Vulcan Foundry, in Alexander county.

In force March 1, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That all such persons as shall become subscribers to the stock hereinafter described shall be and they are hereby constituted and declared a body politic and corporate, by the name and style of the "Vulcan Foundry," from and after the passage of this act; and by that name they and their successors shall have succession, and shall in law be capable of suing and being sued, pleading and being impleaded, in all courts and places whatsoever; may have a common seal, alter and change the same at their pleasure; and they and their successors may also, by that name and style, be capable in law of contracting and being contracted with, of purchasing, holding, and conveying away real and personal estate for the purposes and uses of said corporation as hereinafter limited.

Constituted a body politic & corporate

SEC. 2. The president and directors of said company, hereinafter provided for, shall have power, and are hereby authorized, to carry on the manufacturing of iron and other metals, in all its various branches; the building of machinery of iron and wood work of all descriptions, and other useful branches of business in Alexander county, in this State; and to erect mills, works and buildings as they may deem necessary to carry on their operations; and to enter into all contracts which may concern the use and management of said property and the affairs of the company.

Their powers

SEC. 3. The capital stock of said company shall consist of one hundred and fifty thousand dollars, divided into shares of one hundred dollars each.

Capital stock

- Commissioners** SEC. 4. That for the purpose of carrying into effect the objects of this corporation, James Berry, Thomas Howard, and Wilson Able are hereby appointed commissioners to obtain subscriptions to the capital stock of said company; and said commissioners, or a majority of them, after giving general notice thereof in some paper printed in this State, may open books for the subscription of said stock at such times and places as they may direct, and keep the same open till at least five hundred shares of capital stock is subscribed. If the requisite number of shares shall not be subscribed within thirty days after the books are opened, said commissioners, or a majority of them, shall take such measures for completing such subscriptions as they may deem expedient and proper. Every subscriber shall at the time of subscribing pay to said commissioners the sum of one dollar for each share subscribed. When such subscription is complete, or within thirty days thereafter, said commissioners, or a majority of them shall call a meeting of the stockholders at Trinity by a printed notice in some newspaper of general circulation within this State.
- Their duties**
- Amount paid on subscribing**
- Directors to be elected** SEC. 5. That at said meeting the stockholders of said company shall proceed to elect five directors, who shall manage, direct, and govern the affairs of said company one year from the period of said election, and until their successors, who shall be vested with the same authority, are elected.
- How votes are given** SEC. 6. And that at said election each stockholder shall be entitled to give one vote for each share of stock he may hold, and a majority of all the votes given shall be required to make an election.
- When election to be held** SEC. 7. That the period of election shall be annually the first Monday in the month in which the first election was held.
- Directors' duty** SEC. 8. That immediately after the directors are chosen as above, they shall hold a meeting at which and all subsequent meetings a majority shall constitute a quorum; that they shall proceed to the election of a president from one of their number; a secretary, who shall be sworn by a justice of the peace to the faithful discharge of his duty, and who shall record all votes of the corporation in a book to be by him kept for that purpose; a treasurer, who shall give bond to such amount, and in such manner, as the president and directors shall direct and appoint: also such other officers and agents as they may seem necessary.
- President and Secretary to be sworn**
- To appoint a treasurer and other officers & agents**
- Directors' powers** SEC. 9. That the said president and directors shall have power, from time to time, to make all such by-laws and rules not inconsistent with the constitution and laws of

this State, which may be necessary for the payment or collection of subscription to its stock, and the transfer of the same, the conveyance of property, or that in any other way may concern the interest, management, and direction of the affairs of said company.

SEC. 10. This act shall continue in force for the term of thirty years: *Provided, however,* That during that time, upon any departure from or violation of the provisions of this act, the legislature may alter, modify, or repeal the same, if the public good shall require it.

APPROVED 1st March, 1837.

AN ACT to incorporate the Jerseyville Hotel Company.

In force, 1st
March, 1837

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edward M. Daley, George H. Collins, John W. Lote, Aaron Rice, William W. Bailey, Samuel Williams, Charles S. Smith, Alfred Carpenter and Horace Landen, and their associates and successors, be, and they are hereby constituted a body politic and corporate, under the name of the "Jerseyville Hotel Company," to be located in the town of Jerseyville, Green county, and by that name shall have power to contract and be contracted with; may have and use a common seal, alter or revoke the same at pleasure; and may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts having competent jurisdiction; and shall be vested with all the powers and privileges necessary to the object of their incorporation, as are hereafter defined and limited.

Constituted a
body politic &
corporate

SEC. 2. The said company shall have power and be capable of holding, purchasing, improving, selling and conveying, any estate, real or personal, for the use of said corporation; second, to improve or erect buildings on the same; third, to rent, lease or occupy, any or all such lands belonging to said company, for a term not exceeding the limits of this charter; *Provided,* That the real estate owned by the said company, shall not exceed one quarter section of land, except such as may be held as collateral security for debts due the said company, or may become the property thereof by virtue of such indebtedness.

Company's
powers

What lands
may be held

SEC. 3. The capital stock of said company shall be ten thousand dollars, with power to increase the same, at the pleasure of said company, to any sum not exceeding twenty-five thousand dollars; which capital stock shall be divided

Capital stock
Power to in-
crease

into shares of one hundred dollars each, and subscribed for and held in manner hereafter provided.

How to make contracts

SEC. 4. All contracts or other evidences of indebtedness, which may be made or entered into by the said corporation, shall be subscribed by the president and secretary, and being so signed shall be binding on said corporation; and all conveyances made and entered into by said corporation, conveying real estate belonging to the said company, when signed as aforesaid, shall in like manner be binding on such corporation according to the tenor, effect and true intent and meaning of the same.

How corporation shall be managed

SEC. 5. The concerns of said corporation shall be managed and conducted by directors, consisting of not more than five, who shall be chosen annually by the stockholders or their proxies, which shall be by ballot, and the directors receiving the greatest number of votes, shall receive the certificates of the inspectors declaring them duly elected; the directors so chosen, or the major part of them, shall constitute a board and be competent to the transaction of all business, and shall and may, from time to time, make and prescribe such by-laws, rules and regulations, relative to the concerns of said corporation, the duties of the president and secretary, each of whom shall be elected by a majority of the directors so chosen, and shall also regulate the duties of their agents, clerks, and all others by them employed; and the said directors shall have power to appoint such other officers, agents and clerks, as may be necessary for the carrying on the business of said corporation, with such salaries and allowances as to the said directors shall seem proper; *Provided*, That such by-laws and regulations shall not be repugnant to the constitution and laws of the United States or of this state.

Who are commissioners
Their duties

SEC. 6. That Edward M. Daley, Aaron Rice and John W. Lott, shall be commissioners, the duties of whom, or a majority of them, shall be to open books of subscription to the capital stock of said corporation, within six months from and after the passage of this act, in such place or places, and at such times as in their opinion would best promote the interest of said company. Twenty days notice shall be given by the commissioners, of the time and place, and the number of days the subscription books will remain open, in a public newspaper published the nearest the place where the books will be opened; the commissioners shall require every subscriber to pay, at the time of subscribing, one dollar on every share subscribed by him; and if one-half of the amount of said capital stock shall be subscribed, it shall be the duty of said commissioners to give at least twenty days notice for the meeting of the stockholders, for the purpose of choosing the directors of said corporation,

designating the time and place of election; at which election persons holding stock of said company, shall be permitted to vote, either in person or by proxy; the said commissioners shall be inspectors of the first election of directors, and shall certify under their hands the names of those duly elected, and deliver over to them the subscription books and the amount of money received on subscriptions to the directors.

SEC. 7. The stock of said corporation shall be deemed personal property, and assignable and transferrable on the books of the corporation, but no stockholder indebted to the corporation shall be permitted to make a transfer until such debt be paid, or secured to be paid, to the satisfaction of the directors. Stock deemed personal property.

SEC. 8. The company shall at all times keep proper books of accounts, in which shall be registered all the transactions of the corporation, and the same shall at all times be subject to the investigation of the stockholders; and it shall be the duty of the directors to make annual dividends, or at such other times as a majority of the directors may direct, of so much of the profits of said company as to them, or a majority of them, may judge advisable. Books to be kept

SEC. 9. The stock not disposed of by the commissioners in the manner heretofore named, shall and may be issued by the directors, for the time being, according to the by-laws and regulations that may be adopted by the said company. Stock not taken, how disposed of

SEC. 10. As soon as twenty per cent of the capital stock of said company shall be subscribed, and ten per cent of the same paid in, the said corporation shall be authorized to proceed to business, and not before. Amount to be paid in before proceeding

SEC. 11. In all elections for directors each share of the capital stock shall entitle the holder to one vote. How votes to be given

SEC. 12. The directors shall have power to require the stockholders, respectively, to make payment of all sums of money by them subscribed, and remaining unpaid, at such time and in such proportion, as such directors shall see fit, under the pain of the forfeiture of the share or shares upon which such payments are required, and all previous payments thereon, to the said corporation. Directors' powers

SEC. 13. The directors shall give at least twenty days personal notice, in the manner that the by-laws of said corporation may direct, or thirty days public notice, published in the nearest newspaper once in each week, of such call, which notice shall be sufficient call on such stockholders to authorize, in case of default to comply therewith, the forfeiture above provided. Notice of call to be given

SEC. 14. This act is hereby declared a public act, and shall be favorably construed in all courts of justice, and A public act

shall take effect from and after its passage, and be and remain in force for the term of twenty-five years.

May be repealed. SEC. 15. The General Assembly reserves the right to alter, amend or repeal the same, whenever the public good may require.

APPROVED 1st March, 1837.

AN ACT to incorporate the Belvidere College

In force 1st
March, 1837.

Persons incor-
porated

Name

Where located
No. of trustees

Object of in-
corporation

Corporate pow-
ers

To make con-
tracts, sue and
be sued

To purchase &
sell property

To loan mon-
ey belonging to
said company

To have a com-
mon seal, and
alter the same

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Germanicus Kent, John T. Temple, Seth S. Whitman, John K. Towner, Simon P. Doty, John Quincy Rollins, Daniel H. Whitney and Benjamin Sweet, be, and they are hereby created a body corporate and politic, by the name of "Trustees of Belvidere College," and by that name to remain and have perpetual succession. The College shall be located at or near Belvidere, in the county of Winnebago. The number of trustees shall not exceed thirteen exclusive of the president or presiding officer, who shall, ex officio, be a member of the board of trustees. For the present the aforesaid individuals shall constitute the board of trustees; who shall fill the remaining vacancies at their discretion.*

SEC. 2. The object of said incorporation shall be the promotion of the general interest of education, and to qualify young men to engage in the several employments of society, and to discharge honorably and usefully the various duties of life.

SEC. 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said object, and such as are usually conferred on similar bodies corporate, to wit: To have perpetual succession; to make contracts; to sue and be sued, to plead and be impleaded; to grant and receive by its corporate name, and to do all other acts as natural persons may; to accept and acquire, purchase or sell property, real, personal, or mixed; in all lawful ways to use, employ, manage, dispose of such property, and loan all monies belonging to said corporation, in such manner, not inconsistent with law, and as shall seem to the trustees best adapted to promote the objects aforesaid; to have a common seal, and to alter or change the same; to make such by-laws as are not discordant with the laws of the United States and this State; and to confer on such persons as may be considered worthy,

such collegiate or honorary degrees, as are usually conferred by similar institutions. To confer degrees

SEC. 4. The trustees of said College shall have authority, from time to time, to prescribe and regulate the course of studies pursued in said College, and in the preparatory department attached thereto; to fix the rate of tuition, room rent, and other college expenses; to appoint instructors, and such other officers and agents, or all of them, as said trustees shall deem the interests of the said College require; to fill all vacancies among instructors, officers and agents; to erect necessary buildings; to purchase books and chemical and philosophical apparatus, and other suitable means of instruction; to put in operation, if deemed expedient, a system of manual labor; to make rules for the general management of the affairs of the College, and for the regulation of the conduct of the students, and to add, as the ability of the said incorporation shall increase, and the interests of the community shall require, additional departments for the study of any or all of the liberal professions; *Provided, always,* That no theological department shall ever be established in said College. Trustees may prescribe and regulate course of studies
Fix rate of tuition
Appoint instructors and other officers
Fill vacancies
Erect buildings
Purchase books & apparatus
Adopt manual labor system
No theological department to be established

SEC. 5. If any trustee shall be chosen president of the College, his place as trustee shall be considered vacant, and the remaining trustees shall fill the vacancy. The trustees shall have power to remove any trustee from office for any dishonorable or criminal conduct; *Provided,* That no such removal shall take place without giving to such trustee notice of the charges exhibited against him, and an opportunity to defend himself before the board; nor unless two-thirds of the whole number of the trustees for the time being, shall concur in such removal. The trustees for the time being, in order to have perpetual succession, shall have power, as often as a trustee shall be removed from office, die, resign, or remove out of the State, to fill such vacancy. A majority of the trustees, for the time being, shall be a quorum to do business. Trustees may remove other trustees for misconduct
No removal without giving notice

SEC. 6. The trustees shall faithfully apply all funds by them collected, according to their best judgment, in erecting suitable buildings; in supporting the necessary instructors, officers and agents; in procuring books, maps, charts, globes, philosophical, chemical and other apparatus, necessary to aid in the promotion of sound learning in the institution; *Provided,* That if any donation, devise or bequest, shall be made for particular purposes, accordant with the objects of the institution, the same shall be applied in conformity with the express condition of the donor or devisor; *provided, also,* That lands donated or devised as aforesaid, shall be sold or disposed of within three years from and after such donation or devise, unless the Shall apply all funds to use of academy
Shall apply bequests to the object of grant
Lands given to be sold within three years after donation

lands held in perpetuity by said institution, together with such donation or devise, shall not exceed six hundred and forty acres.

Treasurer and other officers to give bond **SEC. 7.** The treasurer always, and all other agents when required by the trustees, before entering upon the duties of their appointments, shall give bonds, respectively, for the security of the corporation, in such penal sum, and with such securities as the board of trustees shall approve. **To be approved by trustees** And all process against said corporation shall be by summons, and the service of the same shall be by leaving an attested copy with the president or treasurer of the College, at least thirty days before the return day thereof.

Open to all denominations **SEC. 8.** The said College and its preparatory department shall be open to all denominations of christians; and the profession of any particular religious faith shall not be required of those who become students. All persons, however, may be suspended or expelled from said institution, whose habits are idle or vicious, or whose moral character is bad.

APPROVED, 1st March, 1837.

In force 1st
March, 1837

AN ACT to incorporate the Madison Mining and Manufacturing Company.

Constituted a
body politic &
corporate

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Caleb Bartlett, Joshua Tolford, Isaac J. Bicknell, John Higham, William Manning and Robert Smith, and their associates, successors and assigns, are hereby created a body politic and corporate, by the name and style of the "Madison Mining, Manufacturing and Exporting Company," to be located in the county of Madison.

Powers of com-
pany

SEC. 2. Said company shall be competent to contract and be contracted with, and be capable in law and equity, to sue and be sued, to plead and be impleaded, to answer and be answered unto, to defend and be defended, in all courts and places, and in all matters whatsoever. Said company may have and use a common seal, which they may alter or change at pleasure; and may also make and establish, and put in execution, such by-laws, ordinances and regulations as may be necessary for the good government of said corporation, and the prudent and efficient management of its affairs.

Capital stock

SEC. 3. The capital stock of said company shall be five hundred thousand dollars, divided into shares of one hun-

dred dollars each, as the directors may see proper; and the capital stock may hereafter be increased to one million, to be expended in the erection of mills, machinery, iron foundries, boats, and such buildings and improvements as may be necessary to carry on their business; also, to be expended in mining for coal and other materials.

May be increased
Application of stock

SEC. 4. In order to facilitate the business operations of said grant, corporation or company, they shall be authorized to negotiate a loan or loans of money, to the amount of its capital stock, and to pledge all its property, real and personal, and all its rights, credits and franchises, for the payment thereof.

Authorized to make a loan

SEC. 5. The said corporation shall pay into the county treasury of Madison county, on the first Monday in January annually, one-half per cent. (after the election of directors) upon the amount of stock actually employed by said company, as a tax, which shall be in lieu of all other taxes or assessments upon the stock of said company, for county purposes. The stock employed by said company shall be considered the amount of money expended by said company, for the uses and purposes herein authorized.

Company to pay to county treasury

SEC. 6. The president or treasurer of the company shall, on the first Monday in January annually, make an affidavit before the county commissioners' court, or some justice of the peace of said county, to the amount of capital employed by the company at the time of making such affidavit; and the tax herein authorized shall be assessed upon the amount stated in the affidavit.

President and treasurer to make affidavit annually of amount of stock

SEC. 7. That said corporation may purchase and hold such real estate, as may be deemed necessary for the transaction of its business, to an amount not exceeding two sections of land, and to take and hold any real estate as securities mortgaged to said corporation, to secure the payment of any debts due, or that may become due to it; and also, to purchase on sales made by virtue of any judgment at law, or any decree of a court of equity in favor of said corporation; to take and receive any real estate in payment, or towards satisfaction of any debt previously contracted, or due said corporation, and to hold the same until they can conveniently and advantageously sell and convert the same into money, or other personal property; and to sell and convey said real estate, or any part thereof; *Provided*, All real estate purchased under judgments or decrees, or taken in payment of debts as aforesaid, shall be sold within three years from the date of purchase, otherwise the same shall be forfeited to the State of Illinois.

To hold real estate

Purchase at sales

Proviso

SEC. 8. This act is hereby declared a public act, and shall take effect from its passage, and remain in force for the period of twenty years.

Public act

APPROVED 1st March, 1837.

In force 1st
March, 1837.

AN ACT to incorporate the stockholders of the Pittsfield and Mississippi Rail-road Company.

- SEC. 1.** *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That Robert R. Green, Robert Davis, Jonathan Piper, John F. Turnbaugh, A. H. Argyle, Dexter Wheeloch, James Johnson, William Ross, and Daniel B. Bush, their associates, successors, and assigns are hereby created a body politic, under the name and style of the "Pittsfield and Mississippi Rail-road Company;" and by that name shall be and are hereby made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in any court or courts whatsoever; to make and use a common seal, the same to alter and renew at pleasure; and by that name and style be capable in law of contracting and being contracting with, purchasing, holding, and conveying real and personal estate for the purposes and uses of said corporation as hereinafter limited, and shall be and are hereby vested with all the powers, and privileges, and immunities, which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth; and the said company are hereby authorized and empowered to locate, construct, and finally complete a rail-road for a double or single track, commencing at or near Augusta in Pike county, thence through Pittsfield, by Atlas, to such point on the Mississippi river, as the company may deem proper; and for this purpose said company are authorized to lay out their road, not exceeding eight rods wide, through the whole length; and for the purpose of cuttings, embankments, stone, wood, and gravel, may take as much more land as may be necessary for the proper security and construction of said rail-road: *Provided*, That all damages that may be occasioned to any person or persons, or corporations, by the taking of such land or materials for the purposes aforesaid, shall be paid for by said company in the manner hereinafter provided.*
- SEC. 2.** The capital stock of said company shall consist of six thousand shares, of fifty dollars each, and the immediate government and direction of the affairs of said company shall be vested in a board of not less than five directors, who shall be chosen by the members of the corporation in manner hereinafter provided, and shall hold their office until others shall be duly elected and qualified to take their places as directors, and the said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their number to be president of the board, who shall also be pre-
- Constituted a body politic & corporate
- Powers & privileges of company
- May construct a rail-road
- Width of road
- Proviso.
- Amount of capital stock
- Directors to be elected
- Elect a president

ident of the company; and have authority to choose a secretary, who shall be sworn to the faithful discharge of his duty; and a treasurer, who shall give bond to the corporation with securities, to the satisfaction of the directors, in a sum not less than twenty thousand dollars for the faithful discharge of his trust.

Treasurer to give bond

SEC. 3. The president and directors, for the time being, are hereby authorized and empowered by themselves or their agents to execute all powers herein granted to the company, and all such other powers and authority for the management of the affairs of said company, not heretofore granted, as may be proper and necessary to carry into effect the objects of this act and to make such equal assessments from time to time on all shares of the company, as they may deem expedient and necessary, and direct the same to be paid to the treasurer of the company: *Provided*, That no assessment shall be laid upon any share in said company of a greater amount in the whole than fifty dollars on a share.

Powers of directors

To make assessments

Proviso.

SEC. 4. The said company shall have power to make, ordain, and establish all such by-laws, rules, and regulations, and ordinances as they may deem expedient and necessary to accomplish the designs and purposes, and to carry into effect the provisions of this act, and for the transfer and assignment of its stock, the payments of assessments, and the conveyance of property, and the well ordering, regulating, and securing of the interest and affairs of said company: *Provided*, The same shall not be repugnant to the constitution and laws of this State or of the United States.

May enact by-laws, &c.

Proviso.

SEC. 5. A toll is hereby granted and established for the sole benefit of said company, upon all passengers and property of all descriptions, which may be conveyed or transported upon said road at such rates per mile as may be agreed upon, and established from time to time by the directors of said company: *Provided, however*, That if the nett income and receipts from tolls, from and after the completion of said road, shall exceed twelve per cent. per annum, the legislature may take measures to reduce said rate of tolls so as to take off the overplus, and said directors may loan upon bond and mortgage or other securities any surplus funds of the company which may be at any time unappropriated, at a rate of interest not exceeding twelve per cent. per annum.

Toll granted for benefit of company.

Proviso.

SEC. 6. The directors, of said company, for the time being, are hereby authorized to erect toll houses, buildings, establish gates, and demand toll upon the road when completed, and upon such parts thereof as shall from time to time be completed.

May erect toll houses, &c.

Holden to pay
damages

SEC. 7. The said company shall be holden to pay all damages that may arise to any person or corporation by taking their land, stone, wood or gravel for the use of said rail-road, when the same cannot be had by voluntary agreement, to be estimated and recovered in the manner provided by law for the recovery of damages, happening by the laying out of highways.

Guardian may
release dam-
ages

SEC. 8. When the land, or other property or estate, of any married woman, infant, or person non compos mentis shall be necessary for the construction of said rail-road, the husband of such married woman, and the guardian of such infant or person non compos mentis may release all damages in relation to the land or other property, to be taken and appropriated as aforesaid, as fully as they might do, if the same were holden in their own right respectively.

Persons inju-
ring property to
forfeit &c.

SEC. 9. If any person shall wilfully do, or cause to be done, any act or acts whatever, whereby any building, construction, or work of the said company, or any engine, machine, or structure, or any matter or thing appertaining to the same shall be stopped, obstructed, impaired, weakened, injured or destroyed, the person so offending shall be deemed guilty of a misdemeanor and shall forfeit and pay to said corporation treble the amount of damages sustained by means of such offence or injury, to be recovered in the name of said corporation with costs of suit, by action of debt; and shall be subject to indictment and punishment for such high crimes and misdemeanors as in other cases.

May be indict-
ed

When & where
meeting held

SEC. 10. The annual meeting of the members of said company shall be holden on the first Monday of November in each year at Pittsfield, or such other place as the directors for the time being may appoint, at which meeting the directors shall be chosen by ballot, each proprietor being entitled to as many votes as he holds shares, and any two persons named in this act are hereby authorized to call the first meeting of the said company by giving notice in the newspaper published at Jacksonville or Quincy, of the time, place, and purpose of said meeting at least ten days before the time mentioned in said notice.

Directors to be
chosen

Notice to be
given

When to be
commenced, &
completed

SEC. 11. The said company shall commence the rail-road hereby authorized to be constructed, within two years, and complete the same within ten years thereafter, otherwise this act is declared null and void.

Act deemed a
public act

SEC. 12. This act shall be deemed and taken as a public act, and as such shall be taken notice of by all courts of justice in this State without the necessity of pleading the same, and shall be in force from and after

its passage: *Provided, however,* That the legislature may ^{Proviso.} at any time, upon a departure from or violation of the provisions of this act, alter, amend or repeal the same as in their judgment the public good may require.

SEC. 13. The company hereby incorporated may connect and unite with the Winchester, Lynnville and Jacksonville Rail-road company at or near its commencement on the Illinois river; and any of the provisions of this act shall extend to and may be adopted by said company for the purpose of aiding them to carry into effect the objects expressed in their said charter. ^{Can connect with other rail-road}

APPROVED 1st March, 1837.

AN ACT to incorporate the Grafton and Carrollton Turnpike Company. ^{In force 2d March, 1837}

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That all such persons as shall become subscribers to the stock hereinafter mentioned, shall be and they are hereby constituted a body politic and corporate, by the name and style of the ^{Constituted a body politic & corporate} "Grafton and Carrollton Turnpike Company," from and after the passage of this act; and by that name, they and their successors shall have succession and a common seal, ^{Powers} and shall in law be capable of suing and being sued, pleading and being impleaded, in all courts and places where justice is judicially administered; and they and their successors may also, by that name and style, be capable in law of purchasing [and] holding real and personal estate for the use and accommodation of said corporation: ^{Name} *Provided,* That said company shall purchase no other ^{Proviso} real estate than one section in width where said turnpike is to be or shall be made, and said company shall sell all such real estate within three years after said turnpike road shall be finished and ready for use.

SEC. 2. The said corporation shall have full power ^{Where road is to be located & constructed} and authority to locate and construct a turnpike road, commencing at the town of Grafton, in Green county, on the Mississippi River, from thence to Carrollton, thence to Whitehall, thence to Manchester, and from thence to Jacksonville in Morgan county, with power and authority, if said corporation should deem it expedient, to continue the same to Springfield, in Sangamon county, and may also, in case said road should not run through the town of Jerseyville, construct a lateral branch to said town.

Amount of stock

SEC. 3. The capital stock of said corporation shall be one hundred thousand dollars, divided into one thousand shares, of one hundred dollars each, with power to increase the capital stock, if necessary to accomplish the objects herein contemplated, which stock shall be deemed personal property, and negotiable and transferrable in such manner as said corporation shall by their by-laws direct.

Road to be divided into three sections

SEC. 4. The said turnpike road shall be divided into three sections or parts, as follows; to wit: The first section shall commence on the Mississippi river at Grafton, and end at Carrolton; the second section shall commence at Carrolton, and end at Jacksonville; the third section shall commence at Jacksonville, and end at Springfield; and if either of the sections of said road shall be constructed or finished, the said company shall never be liable to a forfeiture of the section finished, or any part of said road that may be finished.

Who are commissioners; their duties & powers

SEC. 5. That T. Dugget, Edward M. Daily, Lewis W. Link, Colby Young, Jacob Frye, and William Lane shall be commissioners, whose duty it shall be to open books for the purpose of receiving subscriptions to the capital stock of said company, at some proper place in the towns of Grafton, Jerseyville, Carrolton, Whitehall, Manchester, Jacksonville, and Springfield, at such times as said commissioners shall think proper, by their giving sixty days notice, by posting up advertisements in each of the towns aforesaid, and such other places as they may think proper. Said books shall remain open three days at each place, and in case the whole capital stock of said company shall not be subscribed for, at the aforesaid places, the said commissioners are further authorized to open or cause to be opened a book for the subscription of the capital stock not subscribed for in any place or places in the United States, and at such times as they shall think proper. Any three of said commissioners shall at any time be competent to transact any business; and they shall exact of each person subscribing, at the time he shall subscribe, the sum of ten dollars on each share of stock subscribed.

Amount to be paid when subscribing

When one half of the stock is subscribed, commissioners to give notice of election for directors

Votes may be given in person or by proxy

SEC. 6. As soon as one half of the capital stock shall have been subscribed, the said commissioners shall give twenty days notice, by posting up two or more notices in each of the aforesaid towns, that an election will be held by the stockholders to choose five directors, and such election shall be held at the time and place previously notified and appointed by said commissioners, by such of the stockholders as attend for that purpose, either in person or by proxy. Each share of stock shall entitle

the holder to one vote. And the said commissioners, or a majority of them, who are present shall be inspectors of said election, and shall certify under their hands the names of those duly elected by a majority of votes, and they shall then deliver over the subscription books to the said directors, which said directors, and also those chosen at any annual election, shall choose one of their members president of the board of directors, and they shall have power to fill vacancies that may occur until the next annual election. And said stockholders shall once in each year hold an election for a board of directors as aforesaid, who shall have all the powers of their predecessors: the time and place of election to be fixed on by the by-laws of the corporation; and such directors and all other officers shall continue in office until their successors shall be chosen; and all instruments of writing that shall be directed to be drawn and signed by the president, shall be binding on the stockholders, and on any person or persons entering into any contract or agreement with the directors of said company.

A president of the board to be elected

Directors' powers

Term of office

SEC. 7. A failure to hold an election for the choice of directors or other officers shall in no case be deemed a dissolution of the company, but the directors may appoint another time, and so on in succession, for a choice of directors and other officers, and such elections shall be valid and effectual.

A failure to elect directors not to dissolve the company

SEC. 8. The said directors shall have power to appoint a secretary, treasurer, superintendents, surveyors and all subordinate officers of said corporation, to fix their compensation, define their powers, and prescribe their duties; require of them such bonds, in such penal sums, and with such securities as the board of directors shall prescribe; and they shall hold their offices during the pleasure of a majority of the directors. The said board of directors may from time to time ordain and establish such by-laws and ordinances as to them shall seem meet and proper for the efficient and prudent management of the affairs and objects of said incorporation. Said directors may contract with a surveyor to view, locate, and survey the most suitable and advantageous route for said road from Grafton near the centre of the sixteenth section, in township six north, range twelve west of the third principal meridian, as to them may seem most advantageous, and may enter into contracts with all and every such person and persons as they may think proper; and said directors shall have power to divide the shares of stock into half and quarter shares, and to make them all negotiable in such mode as they shall deem proper.

Directors' powers

SEC. 9. That the said corporation be and they are

To cause ex-
aminations and
surveys

May enter up-
on lands

Lands entered
upon, not dona-
ted, to be pur-
chased

In case of dis-
agreement a-
bout purchase,
county commis-
sioners to settle
it

herely authorized by their agents, surveyors and engi-
neers, to cause such examinations and surveys to be made
of the ground within the limits aforesaid as prescribed
by this act, as shall be necessary to determine the most
advantageous route for the line whereon to construct said
road. And it shall be lawful for the said corporation to enter
upon, and take possession of and use all such lands and
real estate as may be necessary for the construction and
for the keeping up of said road, and for the accommoda-
tion thereof, and may also take, hold, and occupy all
such voluntary grants and donations of land and real
estate as may be made to said corporation, to aid in the
construction, maintenance, and accommodation of said
road: *Provided*, That all lands or real estate thus entered
on and taken possession of, and used by said corporation,
and which are not donations, shall be purchased by said
corporation of the owner or owners of the same, at a
price mutually agreed upon between them; and in case
of disagreement as to the price or value of such lands,
it shall be the duty of the county commissioners of the
county in which such lands are situated, on notice in writing
of such disagreement being given to them by the said
corporation or the secretary thereof, to appoint three dis-
interested freeholders, who after being sworn to act im-
partially in the premises, shall proceed to determine and
assess the damages, which the owner or owners of the
lands so entered upon has or may sustain thereby, and
also in like manner to assess and value the advantages
to the individuals, by having such road run through or
across his land, and shall strike the balance, and shall re-
port such balance to the county commissioners in writing,
who appointed them, and such report shall be the mea-
sure and only measure of damages sustained; and if the
owner or owners of such land shall feel themselves ag-
grieved by such report and decision, and should prefer to sell
the land to such company or incorporation not exceeding
one section in width on the route through which said
road shall or may pass, said three disinterested freehold-
ers, sworn as aforesaid, shall appraise and value said land,
and the improvements if any, and make return to the
county commissioners aforesaid; and the Board of direct-
ors of said company may either purchase the land or
pay the damages assessed as aforesaid. And upon the pay-
ment of such valuation by the said company, on deposit-
ing the amount in the county treasury of the county with-
in which said lands lie or are situated, together with the
costs and charges incurred by such valuation, and upon
the county treasurer giving notice to the owner or
owners of such land, that such deposite is made and is

subject to his order or control, whenever he pleases, said corporation shall be deemed to be and are hereby seized and possessed in fee simple of such land and all the appurtenances to the same belonging. And it shall be the duty of the said three disinterested freeholders to deliver to the board of directors of said company, as soon as practicable, a written statement of their award or assessment with a description of the land appraised; which shall be recorded in the recorder's office of said county; and if any of said owners of such land should be infants or minors, feme covert, insane, or non compos mentis, at the time of such valuation, the said corporation shall allow interest at the rate of six per cent. for their benefit, from the time of such valuation until the time of payment.

SEC. 10. That the said corporation shall be and are hereby authorized to construct and use a road of suitable width and dimensions, to be determined by said directors within the powers prescribed by this act, and shall have the power to declare the time that said road or any part thereof shall be ready for use, and may establish toll gates every ten or five miles thereon, as said directors shall think advisable, as well as the mode of collecting tolls, and are authorized to erect toll-houses and other buildings for their accommodation, and may ask, demand, and receive tolls upon any part of said road, as soon as the same may be finished and completed.

Corporation may declare road ready for use

May establish toll gates

May receive tolls

SEC. 11. It shall be lawful for the directors to require payment of the several sums subscribed to the capital stock, at such times and in such proportions, and on such conditions as they may think fit, observing uniformity therein, under the penalty of a forfeiture of all previous payments thereon, and shall give notice of the payments required; and of the time and place when and where the same are to be paid at least forty days previous thereto, by posting up two written notices in each of the towns through which said road may pass, and also in some one of the newspapers in this State, and also in the several cities where the books of subscription may have been opened for obtaining subscriptions to the capital stock.

Powers in relation to collecting subscriptions to stock

SEC. 12. That whenever it shall be necessary in the construction of the aforesaid turnpike road, to intersect or cross any water course, or any other road or highway, or to run on in the same direction of any public or private road, lying between the points designated for the aforesaid turnpike, it shall be lawful for this incorporation to construct their road across, or on the same.

May cross other roads or water courses

SEC. 13. That if any person or persons shall wilfully or designedly do or cause to be done any act, whereby

Penalties for injuries done road

any building, construction, or work of said corporation, or any engine, or machine, or structure, or any matter or thing appertaining to the same, shall be stopped, obstructed, impaired, injured, or destroyed, each and every person or persons, so offending, shall forfeit and pay to the said corporation treble damages by occasion of such offence or injury, to be recovered by said corporation, with costs of suit, by action of debt or trespass on the case, to be cognizable in the circuit court of the county where such offence may be committed, or before any justice of the peace, where the amount of damages claimed shall not exceed one hundred dollars with a right of a jury trial, as in other cases; and, moreover, all such persons shall be liable to indictment for a misdemeanor, and liable to fine or imprisonment, at the discretion of the court before whom such conviction shall be had; and if any person or persons shall wilfully obstruct in any manner whatever, said turnpike road, or any part thereof, such person or persons shall be liable to indictment as at common law for creating a common nuisance, and on conviction shall be fined not less than fifty nor more than five hundred dollars, and shall be imprisoned not exceeding six months; and it shall be the duty of the court before whom any conviction shall be had, to direct by an order for that purpose the sheriff of the county, with his posse comitatus, to repair to the place, and effectually prostrate and abate such nuisance.

May borrow
money

If not needed
may be reloaned

Time of commencement, &
completion of
the road

All officers to
take an oath

SEC. 14. The said corporation are hereby empowered to borrow any sum of money which they in their discretion may deem necessary to aid in the construction of said road, not exceeding the amount of their capital stock. And if it shall at any time appear to the president and directors that any portion of the money borrowed as aforesaid, or any portion of surplus capital shall not be needed for immediate use, the same may be loaned out on legal interest to individuals. Said road to be commenced within two years from the passage of this act, and completed in fifteen years. The commissioners selected to open books for subscriptions for stock, the president and directors, and all other officers on being elected or appointed, shall each of them before entering on the duties of their office take an oath or affirmation, to be administered by some person authorized by law to administer oaths, well, faithfully, and impartially to execute their duties according to law, and to the best of their skill and understanding, and on the wilful violation thereof shall be subject to an indictment as in cases of wilful and corrupt perjury.

SEC. 15. The following shall be the rates of toll for each and every ten miles of said road, viz:

	Rates of toll allowed
Every four-wheeled loaded carriage drawn by one horse or other animal, - - -	25
The same drawn by two horses, - - -	37½
If by four horses, - - - - -	50
If not loaded, one half the above rates, and so of all carriages.	
For every chaise or other two-wheeled carriage, - - -	12½
If drawn by one horse, for every additional horse, - - - - -	06½
For every charriot, or other four-wheeled carriage drawn by one horse, - - -	25
For every additional horse, - - - - -	12½
For every horse and rider, - - - - -	06½
For every horse, mule or ass, six months old, led or driven, - - - - -	03
For every head of neat cattle, six months old, - - -	02
For every head of hogs, sheep, goats, or other animals, - - - - -	01

It is hereby made the duty of the president and directors to commute with such persons as live on and near such turnpike road, and who have frequent occasion to use the same for a yearly sum for themselves, their families, their teams and animals: *Provided*, That ministers of the gospel, and all persons going and returning from public worship on the first day of the week, commonly called Sunday, shall be exempt from all toll whatever; and, also, all persons, male and female, under twenty-one years of age, attending any school, or institution for literary or moral instruction, shall also, under all circumstances, be exempt from tolls. The said corporation shall have a right, if they should deem it expedient, to establish toll-gates every five miles, which shall be considered as half toll-gates, and entitled to demand and receive only one half of the aforesaid rates of toll; and no tolls are to be demanded of any person who commutes or pays by the year. And the said board of directors shall have a printed or plainly written list of the rates of tolls posted up at all the gates or places where tolls are demanded, for the inspection of all persons whomsoever.

SEC. 16. That when the said turnpike shall be completed the board of directors shall make out a full report, containing a full account of the cost of constructing said road and all things incidental thereto, which report shall be sworn to as true by the president of the board. Said report shall be filed in the secretary's office of this State, and shall annually thereafter report in like manner

Persons exempt from paying toll

Directors to report the cost

Report to be filed with secretary of State

the expenditures of the company, and the amount of tolls received, and also file them in the secretary's office as aforesaid.

May build a
free bridge a-
cross Macoupin
creek

SEC. 17. The said company shall have a right to build a toll-bridge over Macoupin creek, by the consent of the county commissioners of Greene county; and they may establish the rates of toll for the same: they may take a part of the stock for the county, or commute with said company for the county of Greene.

State may pur-
chase the stock

SEC. 18. The said company shall continue a body corporate, if the legislature shall not think fit, or be inclined, to purchase the stock of the company for the use of the State, at par, and also obtaining twelve per cent. per annum for money expended; but if the legislature should decline purchasing out the stock as aforesaid, the said company shall continue until the tolls shall have reimbursed the capital stock, and twenty per cent. on the same. But if the State should purchase up the stock as aforesaid, then the said company shall surrender their charter, and all their interest in said road, to the people of this State.

SEC. 19. This act shall be a public act, and shall be construed favorably and benignly in all courts and places to carry into effect every beneficial purpose herein intended, and shall take effect and be in force from and after its passage.

APPROVED 2d March, 1837.

In force March 2, 1837 AN ACT to incorporate the Manchester and Bridgeport Rail Road Company.

Constituted a
body corporate
and politic

Powers and
privileges

SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly, That Robert Huston, Asford Smith, Daniel Hodges, Washington Bell, Josiah H. Cogshall, Harvey Jarboe, Chester Shallow, Joshua Hanks, and their associates, successors, and assigns, are hereby created a body corporate and politic, by the name of the "Manchester and Bridgeport Rail Road Company," and by that name are hereby made capable in law and in equity, to sue and be sued, to plead and be impleaded, defend and be defended in any court or courts of record or in any other place whatever; to contract and be contracted with; and shall be and hereby are vested with all the powers and privileges which may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth. And the said company are hereby authorised to locate,*

construct, and prosecute to final completion, a rail road To construct a rail road commencing at Manchester, from thence to Glasgow, thence to Bridgeport, on the Illinois river, in Morgan county. And said company are authorised to lay out their said road at least six rods wide through the whole length, and for the purpose of cutting embankments, stone, and gravel, may take as much more land as may be necessary for the proper construction of said road: *Provided, That* Proviso all damages that may be occasioned to any person or corporation, by the taking of such land or materials for the purposes aforesaid, shall be paid for by said company, in the manner hereinafter provided.

SEC. 2. The capital stock of said company shall be one Amount of capital stock hundred thousand dollars, to be divided into shares of one hundred dollars each. And the government and direction of the affairs of said company shall be vested in not less than five directors, who shall be chosen by the members of the Directors to be chosen company in the manner hereinafter provided, who shall hold their offices for one year, and until others are duly elected; and the said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their number to be president of the company, and shall choose a clerk, who shall be sworn to the faithful discharge To choose a clerk of his duties, and a treasurer, who shall give bond to the company with such security as shall satisfy the directors.

SEC. 3. The president and directors are hereby authorised to make such equal assessments from time to time on all shares as may be necessary for the prosecution of the work, and direct the same to be paid to the treasurer of the company, and the treasurer shall give notice of such Notice to be given of assessment assessment. The board shall have power to call special meetings of the stockholders, and to adopt rules and by-laws, regulating the manner and time of payment of all assessments they may order.

SEC. 4. Said company shall pay all damages that may Company to pay damages arise to any person or persons, corporation or corporations, by taking their land, stone, or gravel for the use of said road, where the same cannot be obtained by voluntary agreement, to be estimated and recovered in the manner provided by law for the recovery of damages happening by the laying out of highways.

SEC. 5. If any person, shall willfully and maliciously and Persons injuring road to forfeit contrary to law, obstruct the passage of any car on said road or any part thereof, or any thing belonging thereto, he, she, or they shall forfeit and pay to said company for every such offence, double such damages as shall be proven before any court competent to try the same, to be sued for in the name and behalf of said company, and such offender or offenders shall be deemed guilty of a misdemeanor and

- Liable to indictment** liable to indictment in the same manner as other indictments are found in any county or counties where such offence shall have been committed; and upon conviction of
- Can be imprisoned** such offence shall be liable to a fine not exceeding one thousand dollars, for the use of the county where the indictment may be found, or may be imprisoned not exceeding one year.
- How road to be constructed** SEC. 6. Said company shall so construct said road as not to obstruct, hinder, or interfere with the passage or free use of any public highway.
- Time & place of holding elections, how fixed** SEC. 7. The time and place of holding the annual meeting of the company for the election of directors and other purposes, shall be fixed and determined by the by-laws of said company, and at such meetings each stockholder shall be entitled to as many votes as he holds shares; and any two persons named in this act are authorised to call the first meeting of said company, by giving notice in one of the papers published at Jacksonville, of the time and place of holding such meeting, at least fifteen days before the time of such meeting.
- Notice to be given**
- Powers of president and directors** SEC. 8. The president and directors shall have power to enact such by-laws, rules, and regulations as they may deem expedient, to carry into effect the provisions of this act: *Provided*, The same shall not be repugnant to the constitution and laws of this state, and of the United States.
- Tolls may be collected** SEC. 9. Said corporation shall establish and collect tolls from all persons and property which may be conveyed upon said road, at such rates per mile as may be agreed upon from time to time by said corporation: *Provided, however*, That if the nett income and receipts for tolls and other profits, from and after the completion of said road shall exceed twelve per cent. per annum, the legislature may reduce said rates of tolls, so as to take off the overplus.
- Proviso**
- When commenced and constructed** SEC. 10. The said company shall have the route of said road surveyed and expended in its construction five thousand dollars within three years from May next, and completed within eight years thereafter, otherwise this act shall be null and void.

APPROVED 2d March, 1837.

In force 2d March, 1837. ANA CT to incorporate the Mount Carmel Marine and Fire Insurance Company.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That there shall be established in the town of Mount Carmel an Insurance

Company, to be called the "Mount Carmel Marine and Fire Insurance Company." pany establish-
ed

SEC. 2. All such persons as shall hereafter be stockholders of said company, shall be, and they are hereby declared to be, a body politic and corporate, by the name and style of the "Mount Carmel Marine and Fire Insurance Company," and to continue for thirty years from and after the passage of this act, and by that corporate name and style shall be competent to contract and be contracted with, and be capable in law and equity to sue and be sued, to plead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places, and in all matters whatsoever. Declared body,
politic and cor-
porate

To sue and be
sued

SEC. 3. The said corporation may have and use a common seal, which they may alter, change, or break, at pleasure; and may also make and establish, and put into execution, such by-laws, ordinances and regulations, as shall in their opinion be necessary for the good government of the said corporation; the prudent and efficient management of its affairs; the election and regulation of the duties of its several officers, and such other matters as may be necessary and proper; *Provided*, That said by-laws shall in no wise be contrary to this act of incorporation, or the constitution of this State, or of the United States. To have and
use a common
seal, and make
by-laws

Proviso

SEC. 4. The capital stock of the said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, to be paid in such instalments as the directors chosen under this act; may from time to time direct, under such penalties as the said directors may, in their discretion, appoint and order. The said capital stock may hereafter be increased to an amount not exceeding five hundred thousand dollars, in the discretion of a majority of the directors of the said corporation, to be subscribed for and taken under the direction and superintendence of the president and directors of said corporation, or a majority of them, by any person choosing to subscribe for the same, in the manner to be provided for by the by-laws of the corporation. The stock of the said corporation shall be deemed personal estate, and shall be assignable and transferrable according to such rules and regulations as shall be adopted by the directors in that behalf, in the by-laws and ordinances thereof. Capital stock

Capital stock
may be in-
creased

Stock deemed
personal estate

SEC. 5. The corporation hereby created shall have power and authority to make marine insurance upon vessels, boats, rafts, goods and merchandize, produce, freight, moneys, bottomry, respondentia, interest, and on all marine risks, and inland navigation and transportation, and against all losses by fire, of any buildings or houses whatsoever, and vessels, and boats on stocks, bridges and oth- Corporation
have power to
make insur-
ance. &c.

er mechanical structures; and they may cause themselves to be re-insured against any maritime and other risks upon which they have made insurance; and upon the interest which said corporation may have in any vessel, boat, goods, merchandize, produce or houses, or other buildings, in virtue of any loans, made upon such property, whether on bottomry and respondentia, or otherwise, on such terms and conditions as may be agreed upon by the parties; and to fix the premiums and terms of payment, and demand, collect, and receive the same.

Policies of insurance to be signed & countersigned

SEC. 6. All policies of insurance made by the corporation shall be subscribed by the president, or in case of his death or absence, by the vice president, and countersigned and sealed by the secretary of said company; and all losses, arising under any policy so subscribed and sealed, may be adjusted and settled by the president and board of directors.

Capital stock may be vested in other stock

SEC. 7. The said corporation, by the president and directors, may, at their option, vest the capital stock of the said corporation in the capital stock of any State, or incorporated bank, trust company, or public funds of the United States, or of any State of the Union; or they may loan the same to companies or individuals, on bottomry, bond, note, mortgage of real estate, or other satisfactory security, at their discretion, at a rate of interest not exceeding that now allowed by law.

Can loan it to companies or individuals

Corporation may purchase and hold real estate

SEC. 8. The said corporation may purchase and hold such real estate as may be deemed necessary for the transactions of its business, the purchase money of which shall not exceed, in the whole, twenty thousand dollars; and to take and hold any real estate as securities mortgaged and pledged to the said corporation, to secure the payment of any debt, in any manner due, or to become due to the said corporation; and also to purchase on sales made by virtue of any judgment at law, or any decree of a court of equity, or otherwise to take and receive any real estate in payment, or towards satisfaction of any debt previously contracted or due the said corporation, and to hold the same until it can be conveniently and advantageously disposed of without loss to the said corporation; and shall have power to lease, sell and convey, said real estate, or any part thereof.

Can purchase on sales

Commissioners to superintend subscription to stock

SEC. 9. Hiram Bell, Joshua Beall, William T. Page, Thomas S. Hinde, Abner Armstrong, William Eldridge, Moses Bedell, Ezra Baker Jr. M. D., Powhatan H. Bogwell, Philip W. Quinton and Scoby Stuart, are hereby appointed commissioners for superintending subscriptions to said capital stock; and the said commissioners, or a majority of them, shall open one or more subscription books for

said stock, on the first Monday in April next, or as soon thereafter as practicable and convenient, at the court house in Mount Carmel, and shall receive subscriptions from all persons desirous of subscribing to said stock, and shall continue the said books open from time to time, until the whole amount shall be subscribed, when the same shall be closed. One dollar on each share shall be paid to the commissioners, or satisfactorily secured, to be paid to the board of directors at the time of subscribing, when a certificate of such subscription and payment shall be given to the person subscribing, signed by at least three of said commissioners; *Provided, however,* That if the books for subscriptions to stock shall not be opened on the said first Monday in April, ten days notice shall be given by a majority of the said commissioners, of the time and place of opening the same.

When & where to open books

Certificate of subscription to be given *Proviso.*

SEC. 10. The stock, property, and concerns, of the said corporation, shall be managed and conducted by thirteen directors, who shall hold their offices for one year and until others shall be chosen and qualified, and no longer, and shall at the time of their election, be citizens of this State, and holders respectively of not less than ten shares of the capital stock of the said company.

Directors to hold office one year

SEC. 11. The first election of directors under this act shall be held at such time and place, in the town of Mount Carmel, as a majority of the said commissioners shall direct, or in default of such direction, then it shall be competent for the subscribers to fix upon the time of said election, at the court-house in Mount Carmel, by a majority of shares subscribed for. Any three or more of the said commissioners, are hereby appointed inspectors of said election, if the said commissioners shall be present, and if not, then any three subscribers may be chosen to act as said inspectors; and the directors elected at the first election shall hold their offices until the first Monday in January thereafter, and until their successors are elected and qualified.

When & where election to be held

Term of office of directors

SEC. 12. The directors for every subsequent year shall be elected on the first Monday in each year, at such time in the day, and at such place in Mount Carmel, and under the direction of such persons as a majority of the directors for the time being shall appoint, by a resolution, to be entered on their minutes.

Director, when and where elected

SEC. 13. All elections shall be by ballot, allowing one vote to each share of the capital stock; and the thirteen persons who shall have the greatest number of votes shall be directors; and if at any election two or more persons shall have an equal number of votes, so as to leave their election undecided, then the directors who shall have been

Elections to be by ballot

Who are to be elected directors

Vacancies to be filled as prescribed by the by-laws	<p>duly elected, shall decide by lot which of said persons, so having an equal number of votes, shall be director or directors, so as to complete the whole number; and whenever any vacancy shall happen in the office of directors, president or vice president, the same shall be filled in such manner as shall be provided by the by-laws; and if by reason of any neglect or accident, the said election shall not be held on the day herein prescribed, the same may be held on some other day, within six months thereafter, in such manner as the by-laws shall direct. Absent stockholders, at any election, may vote by proxy authorized in writing; and each share shall entitle the holder to one vote.</p>
And held in such manner as by-laws may direct	<p>SEC. 14. The directors, when elected, shall meet as soon as may be after the election, and by a majority of the whole board, shall choose out of their number a president, who shall be sworn or affirmed faithfully to discharge the duties of his office, and shall preside for one year, and until another person shall be chosen in his stead, and also a vice president, for the same term. They shall have power to appoint a secretary, and all subordinate officers of the said corporation; fix their compensation; define their powers, and prescribe their duties; who shall give such bond, in such penal sum, with such condition, and with such security, as the directors shall prescribe, and hold their offices during the pleasure of a majority of said directors.</p>
Directors to meet & choose a president	<p>SEC. 15. The president or vice president, and any six of the directors, shall be a board competent to the transaction of business, and all questions shall be decided by a majority of the votes, to be given <i>viva voce</i>.</p>
To take oath Term of office	<p>SEC. 16. The president and directors shall cause the capital stock of the said corporation to be paid in, or secured to be paid in by instalments, whenever the transactions of the company shall or may, in the opinion of the board, require the same to be done; and all such securities for the payment of instalments on the capital stocks, shall be by mortgage on real estate worth double the amount of the sum to be secured, exclusive of perishable improvements thereupon, which said payment of instalment shall be paid, or secured to be paid, as the case may require, in such manner, and at such time, as the president and directors shall agree upon and direct; and in default of any such payment being paid, or secured to be paid, as may be demanded by the president and directors, the person so refusing or neglecting to pay, or secure to be paid, the said instalment, shall forfeit all former payments, made or secured to be made, on the share or shares so neglected, for the use of the corporation; and the president and directors may proceed to sell said share or shares, to the</p>
Have power to appoint officers	<p>forfeiture for refusing or neglecting to comply Directors may sell shares, &c.</p>
Officers to give bond	
Who to constitute a board	
Capital stock to be paid or secured	
Capital stock to be paid or mortgaged, &c.	
Forfeiture for refusing or neglecting to comply Directors may sell shares, &c.	

highest bidder thereof, under such regulations as the by-laws may direct.

SEC. 17. The books of the corporation, exhibiting the situation of the affairs thereof, shall be opened at the regular office of the company, during office hours, for the inspection of any person who shall have been insured in any manner by the said corporation.

Books to be opened at the office of the company

SEC. 18. It shall be the duty of the directors of said company, at such time as the by-laws thereof shall prescribe, to make dividends of so much of their interest, arising from their capital stock, and the profits of the said company; but the money received, and notes and bonds taken for premiums on risk, which shall be undetermined and outstanding at the time of making such dividends, shall not be considered as a part of the profits of the said company;

Company to make dividends according to by-laws

Provided, That no stockholder who shall be in arrears to the said company, for any instalment or otherwise, shall not be entitled to receive his dividend of the profits, but the same shall be retained and passed to the credit of the said stockholder, or the share or shares of capital stock upon which any such arrearages are unpaid; and in case of any loss or losses, whereby the capital stock of said company shall be lessened, no subsequent dividend shall be made until the sum arising from the profits of the business of the said company, equal to such diminution, shall have been added to the capital stock; and once in every three years, and oftener if required by a majority of the votes of the stockholders, allowing one vote for each share; the directors shall lay before the stockholders, at a general meeting, an exact and particular statement of the affairs of the company, and of the profits, if any there be, after deducting losses and dividends.

Proviso.

SEC. 19. No one risk taken by the said corporation shall exceed one-tenth of the amount of their capital stock paid in or secured to be paid in, as provided for by this act; and in case of there being any one risk or risks, so taken by the corporation, over and above one-tenth of the amount of capital stock paid in or secured to be paid in, as aforesaid, the directors under whose administration the same were taken, shall be liable, jointly and severally, in their individual capacity, for all losses which may happen on account of such risks.

Directors bound individually for losses of company

SEC. 20. That in case of any loss or losses taking place which shall be equal to the amount of the capital stock of the said company, paid in or secured to be paid in, and the president and directors, after knowing of such loss or losses having taken place, shall subscribe to any policy of insurance, their estate, jointly and severally, shall be accountable for any and every loss which shall take place under policies so subscribed.

Losses taking place equal to amount of capital, directors bound for

Act a public
act

SEC. 21. This act is hereby declared to be a public act, and shall be liberally construed for every purpose herein contained, and shall be in force from and after its passage.
APPROVED 2d March, 1837.

In force March
2, 1837.

AN ACT to incorporate the Waynesville Seminary.

Created a body
politic and cor-
porate.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the persons hereafter to be elected pursuant to the provisions of this act, and their successors, be and they are hereby created a body politic and corporate, to be styled the "President and Trustees of the Waynesville Seminary;" and in that name to remain in perpetual succession. The said seminary shall be located and remain at or near Waynesville in the county of McLean, and state of Illinois.

Objects of cor-
poration

SEC. 2. The object of the said corporation, shall be the promotion of the general interests of education.

Corporate
powers.

SEC. 3. The corporate powers hereby bestowed, shall be such only as are essential or useful in the attainment of said object, and such as are usually conferred on similar bodies politic, viz: To have perpetual succession; to make contracts; to sue and be sued, plead and be impleaded; to grant and receive by its corporate name, and do all other acts that natural persons may; to accept, acquire, purchase or sell property, real, personal and mixed, in all lawful ways; to use, employ, manage and dispose of, all such property, and all money belonging to said corporation, in such manner as shall seem to a majority of the trustees best adapted to the promotion of the aforesaid object; to have a common seal, and to alter and change the same; to make and alter from time to time, such by-laws for its regulation, as are not inconsistent with the constitution and laws of the United States or of this state, and to confer on such persons as may be considered worthy, such academical or honorary degrees, as are usually conferred on similar institutions.

President and
trustees to be
stockholders.
Number.
When elected.

SEC. 4. The president and trustees shall be stockholders in said corporation; and the trustees shall consist of eight persons, who together with the president, shall be elected by the stockholders annually, on the first Monday in January, and shall hold their offices until their successors are duly elected and qualified, and any person holding more than one right or share in said corporation, shall be entitled to one vote for each right or share so held; *provided*

How vote given

however, that no one person shall be entitled to more than five votes.

SEC. 5. The president and trustees of said corporation, shall have authority from time to time, to prescribe and regulate the course of studies to be pursued; to fix the rates of tuition, room rent, and the other expenses of the institution; to appoint instructors, and such other officers and agents as may be necessary in managing the concerns of the institution; to define their duties; to fix their compensation, and to displace or remove them; to erect necessary buildings; to purchase books, chemical and philosophical apparatus and other suitable means of instruction, and to make rules for the general management of the affairs of the institution.

President's and trustees' authority.

Their powers.

SEC. 6. The trustees for the time being shall have power to remove any trustee from his office as such, for any dishonorable or criminal conduct; *provided*, That no such removal shall take place without giving to such trustee notice of the charge against him, and an opportunity to defend himself before the board, nor unless that two-thirds of the whole number of trustees for the time being concur in such removal. The trustees for the time being, shall have power to fill any vacancy that may occur in the board, from death, removal, resignation, or from any other cause. A majority of the trustees for the time being shall be a quorum to do business.

To appoint a secretary and treasurer.
Treasurer to give bond.

SEC. 7. It shall be the duty of said trustees to appoint a secretary and treasurer to the board. The treasurer shall be required to give a bond with sufficient security, in such penal sum as the board may prescribe, conditioned for the performance of such duties, as the by-laws may require of him.

SEC. 8. The said institution shall be open to all denominations of christians, and the profession of any particular religious faith shall not be required of any that may become students. All persons, however, may be suspended or expelled from this institution by the trustees thereof, who do not comply with its by-laws.

What lands may be held.

SEC. 9. The lands tenements and hereditaments, to be held in perpetuity by virtue of this act, by said corporation, shall not exceed six hundred and forty acres; *provided however*, That if any donations, grants or devise in land, shall, from time to time be made to said corporation, over and above the said six hundred and forty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said corporation, for the period of five years, from the date of any such donation, grant or devise, at the end of which time, if said land shall not have been sold by the said corporation, then and in that case, the said lands so donated, granted or devised, shall revert

to the donor, granter, or the heirs of the devisor of the same.

Rights acquired **SEC. 10.** That on the payment of the sum of ten dollars, to the treasurer of said institution, every free white person shall be considered a stockholder, and be entitled to one vote; and it shall be lawful for each and every stockholder, for the time being, of said institution, his executors, administrators and assigns, to give, sell, devise and dispose of their respective rights or shares in said institution, and that the said assignees shall be stockholders, and shall be entitled to all the rights and privileges in said institution, as the original stockholders are by this act.

Commissioners to solicit subscriptions. **SEC. 11.** That Zebulon G. Cantrell, Joseph Statten, Russell Post, David Montgomery, William Stunton, Joel Jackson, John Brown, Dr. F. S. Harrison and James Hartson, of McLean county, be and they are hereby appointed commissioners, to solicit and receive subscriptions of stock to said institution, and give receipts for the same; and when the sum of one thousand dollars of stock is subscribed, said commissioners, or any three of them, shall be and they are hereby authorized to give public notice, by posting up written notices in six of the most public places in the county, of the time and place of holding an election of President and trustees of the said institution, which election shall be held in the town of Waynesville, Illinois, and that the said commissioners, or any three of them, be and they are hereby appointed judges of said election.

Not dissolved for failing to hold election for offices. **SEC. 12.** That in case it should happen that any election of president and trustees should not take place on any day, when, pursuant to this act, it should have been made, the said corporation shall not for that cause be dissolved, but that it shall be lawful on any other day to make an election of president and trustees, in such manner as shall have been regulated by the by-laws and ordinances of said corporation.

APPROVED March 2, 1837.

In force March 2, 1837.

AN ACT to amend an act to incorporate the town of Alton.

Preamble.

WHEREAS, by an act to incorporate the town of Alton, approved February 16th, 1833, among other things, it was enacted that an election should be held on the first Monday in March, next thereafter the passage of said act of incorporation, by the then board of trustees of said

town, at which all voters qualified should be entitled to vote either for or against said charter or act of incorporation; and whereas, it was not known to the inhabitants of said town, that said act had been passed until after the first of March, 1833; and whereas the inhabitants of Alton after said date, and so soon thereafter as said act was made known to them and the proper notices were given, accepted said charter as therein prescribed; and whereas, doubts have arisen that said charter does not confer any powers and authority on the trustees of said town, elected under said charter, by reason of the informality in point of time, when the same was accepted by the people; Therefore,

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the said charter of the town of Alton, and the amendments thereto, accepted by the people of Alton as aforesaid, be and the same is hereby declared to be legally and properly accepted by the inhabitants of said town, according to the spirit and meaning of said act of incorporation, of which this is an amendment, as declared in the fifteenth section of said act. And it is hereby declared, that all the official acts heretofore done, and which may and shall hereafter be done by the trustees of Alton, elected under the provisions of said charter, shall be as valid and binding in law and equity, upon said trustees as such; and upon all persons coming within the purview and meaning of said act of incorporation, as if said charter had been accepted according to the strict letter and declaration of said act.

All acts done
to be considered
valid.

SEC. 2. That the trustees of the town of Alton are hereby authorized and empowered to borrow any sum of money, not exceeding two hundred thousand dollars, at such rates of interest as to them shall seem meet and expedient, from time to time, as shall be necessary for the purpose of improving said town, according to the wants and interests of the inhabitants thereof, and to mortgage or pledge, by bond, bond and mortgage, deed of trust, assignment, or otherwise, under the signature of their president, with the corporate seal of said town affixed thereto. All or any of the revenues that may hereafter arise or accrue to said town, from taxation on real or personal estate, from wharfage, from granting licenses to merchants, or from any other source of revenue whatever, within said town of Alton, for any term of years, as to the said trustees shall seem expedient, to pay off and liquidate the principal and interest of any loan that may be made for the purpose aforesaid.

Power to borrow money.

SEC. 3. That the trustees of the town of Alton shall

Keep road in repair.

Power. Three days labor.

hereafter be required to keep all public roads in good order and repair, within one mile from the limits or boundaries of said town; and also, to keep in good order and repair all public roads leading through said town, and for that purpose the said trustees shall have the exclusive right to call upon every male person in Alton, over the age of twenty-one years, and under the age of fifty years, being residents of said town, to perform three days labor on said roads annually, or to pay into the town treasury the sum of seventy-five cents for each and every day that said residents shall refuse to labor as aforesaid; and in case of non-payment or refusal to labor, the trustees shall have power to sue for and collect the same, as now provided, under the provisions of the general road law; and that after the due performance of the labor aforesaid, or payment of the penalty aforesaid, said residents shall be exempt from any other taxation under the power and authority of the county commissioners of Madison county, by virtue of the provisions of the general road laws of the state of Illinois.

Shall take care of paupers.

Shall licence all taverns, &c

SEC. 4. That the trustees of the town of Alton shall be required from and after the passage of this act, to provide for, and take care of, all paupers within the limits of said town; and to accomplish this object, the said trustees shall have the exclusive right, power and authority, to license all ferries, taverns, merchants, auctioneers, pedlars, grocers, theatrical and other shows and performances, within the limits of the town of Alton.

SEC. 5. That hereafter, all elections for trustees or other officers of the town of Alton shall be by ballot, at such time or times, as the said trustees shall by ordinance direct.

May establish common schools.

Purchase lots.

Proviso.

Shall visit schools quarterly.

May assess.

SEC. 6. The trustees of the town of Alton are hereby empowered and authorized to establish elementary or common schools, wherein reading, writing, arithmetic, geography, grammar, and other useful branches of English education may be taught, and for this purpose said trustees are authorized and empowered to purchase lots, erect buildings or school houses, and suitably to furnish the same, in such parts of the town as may by them be deemed most convenient and beneficial to the citizens thereof; *Provided*, That not more than one house shall be erected for every seven hundred and fifty inhabitants; and to procure suitable teachers for the same. And said trustees, or persons appointed by them, shall visit said schools quarterly, and report to the town at their annual meeting to be held for that purpose, the state of morals, discipline, and progress in learning in said schools. And the said trustees are hereby empowered to assess upon the real estate of said town the sum necessary to purchase lots and erect the buildings necessary for such purpose, and to assess a

tax on personal property, sufficient to raise the necessary sum of money for the support of said schools, which assessment shall not exceed one quarter per cent. and constitute a fund exclusively for the support of common schools. The trustees of said town are hereby empowered by ordinance, to direct whatever may be necessary to be done for successfully carrying into operation the provisions of this section.

Further powers

SEC. 7. That this act shall take effect and be in force from and after the time that said act shall be accepted by a majority of the votes given by the voters of said town, at an election to be held for that purpose, previous to which election at least ten days notice shall be given by the president of the trustees of Alton, to be published in at least two of the public newspapers published in said town; *Provided*, The election shall be had before the first day of December, in the year of our Lord 1837.

Proviso.

APPROVED 2d March, 1837.

AN ACT to incorporate the Hennepin Bridge Company.

In force March 2d, 1837

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all such persons as shall become subscribers to the stock hereinafter mentioned shall be and they are hereby constituted and declared a body corporate and politic, by the name and style of the "Hennepin Bridge Company," from and after the passage of this act, and by that name they and their successors shall, and may hereafter have the succession, and shall in law be capable of suing and being sued, pleading and being impleaded, answer and be answered in all courts and places whatsoever; and they and their successors may have a common seal, and may alter and change the same at pleasure; and also, they and their successors, by that name and style shall be in law capable of purchasing, holding and conveying any estate, real and personal, for the use of said corporation; but the said real estate to be holden, shall be such only as shall be necessary to promote or attain the object of the corporation.

Body politic & corporate.

Privileges

Amount of capital stock

SEC. 2. That the capital stock of said corporation shall be fifty thousand dollars divided into one thousand shares of fifty dollars each. And Bradstreet M. Hays, Samuel W. Koikland, Williamson Durley, Ammon Moon, James J. Holt, Benjamin R. Sheldon, Hugh N. Schooler, George B. Willis, Gardner T. Gochan, and Thomas Hartzell are hereby appointed commissioners to receive subscription for the

Commissioners to receive subscriptions

- Publication to be made
- Subscribed or pay
- Commissioners to give notice to meet
- Time of holding elections
- Directors to elect president
- To pass by-laws
- Proviso
- Corporation may erect bridge
- May take possession of land
- said stock; and such subscriptions shall be opened at such time and place as the commissioners or a majority of them shall appoint, by notice, to be published in the "Commercial Advertiser," a newspaper printed in Chicago, thirty days before the time appointed. If the requisite number of shares shall not be subscribed for at the time and place appointed for such subscription, said commissioners, or a majority of them, shall take such measures for completing such subscription as they may deem expedient and proper. Every subscriber shall, at the time of subscribing, pay to said commissioners the sum of one dollar for each share subscribed.
- SEC. 3. As soon as five hundred shares shall be subscribed, the said commissioners shall give notice thereof, in manner aforesaid, and appoint the time and place in such notice for such subscribers to meet, for the purpose of choosing a treasurer, clerk, and seven directors. Every stockholder shall be entitled at such and all other elections, to one vote for each share, to the number of ten, and one vote for every five additional shares, which votes may be given in person or by proxy. At the election to be held as aforesaid, the said commissioners, or such of them as may attend shall be inspectors; and their certificate of the names of the persons elected shall be conclusive evidence of such election. The first Monday in the month in which such election shall be held shall be the anniversary day of all subsequent elections of such officers. A majority of the directors so chosen shall be a quorum, and shall be capable of transacting the business of the corporation; and any act of the majority of said directors shall be binding on said corporation. The said directors when elected as aforesaid, shall immediately proceed to the choice of one of their members for president; and the said president and directors may meet from time to time, and shall have power to make such by-laws, rules and regulations as shall be deemed expedient and proper, for the well ordering of the affairs of the said corporation: *Provided*, The same be not repugnant to the constitution and laws of this state and the United States.
- SEC. 4. The said corporation are hereby authorized and empowered to erect a bridge over the Illinois river, at Hennepin, which shall be of sufficient elevation to freely admit the passage of steamboats and other vessels of navigating said river at any stage of water. And also to cause to be kept lights during the night in some conspicuous place on said bridge, to enable boats to pass said bridge without injury.
- SEC. 5. The said president and directors, or other persons employed by them, may enter upon and take possession of the land on each side of the river where such

bridge shall be erected. And the said corporation on taking possession of such land, and on receiving a conveyance thereof, shall pay the value of so much of the same as may be necessary for making and erecting said bridge; and establish a gate, toll-house, and other works necessary for said bridge; and in case of a disagreement between the parties as to such value, the same shall and may be ascertained by three disinterested freeholders of the county where such lands lie, who shall be appointed for that purpose by the county commissioners' court of the same county, on the application of either party, and shall be sworn to make a just valuation thereof.

Freeholders.
appointed to
assess damages.

SEC. 6. As soon as the bridge shall be completed, it shall and may be lawful for the said corporation to erect a gate at the end of said bridge, and to demand and receive the following rates of toll, viz: for each hog, sheep, or goat, two cents; for each head of neat cattle, four cents; for each horse, ass, or mule, four cents; for each one horse wagon, or other vehicle, twenty-five cents; for each wagon or other vehicle drawn by two horses, or oxen, thirty-seven and a half cents; for each wagon or other vehicle, drawn by more than two horses or oxen, fifty cents; for each man and horse twelve and a half cents; and for each foot person, six and a fourth cents: *Provided*, That all persons citizens of Putnam county shall have a right to cross said bridge, in going to or returning from any muster or election in said county, and all grand and petit jurors in going to and returning from courts shall be permitted to cross said bridge free from toll.

Company to
erect bridge &
receive tolls

Proviso

Persons injur-
ing bridge to
forfeit

SEC. 7. If any person or persons shall willfully or maliciously do or cause to be done, any act whatsoever whereby the said bridge or any thing appertaining to the same shall be impaired, injured, or destroyed, the said person or persons so offending shall forfeit and pay to the said corporation treble the amount of damages occasioned thereby, to be recovered by the said corporation, with costs of suit, in an action of trespass, in any court having competent jurisdiction thereof.

To fix rates of
toll on bridge

SEC. 8. It shall be the duty of said corporation to affix, or post up, in a conspicuous place over the gate of said bridge, a sign-board with the rates of toll written thereon in large letters.

Toll-gatherer
subject to fine

SEC. 9. If any toll-gatherer shall unreasonably delay or hinder any traveller from passing said bridge or shall demand or receive more toll than is by this act established, he shall for every such offence forfeit and pay a sum not exceeding ten dollars, with costs of suit, to be sued for and recovered before any justice of the peace of the county, for the use of the person or persons so unlawfully delayed, hindered, or defrauded.

APPROVED 2d March, 1837.

In force March
2, 1837

AN ACT to incorporate the Rushville Insurance Company.

Incorporation; name & style; to have con- tinuance	<p>SEC. 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Hart Fellows, Edward Doyle, Adams Dunlap, Joseph Burton, James McCroskey, Josiah Parrott, Daniel V. Dawley, and G. W. P. Maxwell, and their associates, successors and assigns, are hereby incorporated as a body corporate and politic, by the name and style of the "Rushville Insurance Company," to have continuance for and during the term of fifty years from and after the passage of this act, and by such corporate name and style shall be for the time aforesaid, capable in law and equity, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all manner of suits, actions, pleas, causes, matters, and demands whatsoever, in as full and effectual a manner as any person or persons, bodies corporate and politic may or can do, and may have a common seal, which they may alter or break at pleasure; and may purchase, hold, and convey any real or personal estate for the use of said company: Provided, That said company shall not at any one time hold real estate exceeding the value of five thousand dollars, excepting such as may be taken for debt, or held as collateral security for money due to said company.</i></p>
May sue and be sued	<p>SEC. 2. That said company shall have full power and lawful authority to insure all kinds of property against loss or damages by fire or any other cause or risk, to make all kinds of insurance against loss and damages on goods, merchandize, and produce, in the course of transportation or otherwise, whether by land or water, and any vessels or boats wherever they may be; also, to make all kinds of insurance on life or lives, to loan any part of their capital stock on respondentia and bottomry, or on mortgage of real or personal security, and receive such premiums or interest on such loans or mortgages therefor as is provided in this act. Said company may cause themselves to be insured against any loss or risk they may have incurred in the course of their business, and against any maritime or other risk they may have in any vessel, boat, goods, merchandize, or other property by means of any loan or loans which they may have made on respondentia or bottomry, and generally to do and perform all other necessary matters and things connected with and proper to promote the objects of this incorporation: <i>Provided, That when said company shall loan on mortgage of real estate any portion of their capital stock, they shall not be authorised to charge a higher rate of interest therefor than twelve per cent. (12 per cent.) per annum.</i></p>
Can have a common seal Provide	
Can insure on lives	
Can be insured	
Provide	

SEC. 3. The capital stock of said company, exclusive of premiums, notes, and profits arising from business shall be fifty thousand dollars, and shall be divided into shares of fifty dollars each, fifty per centum of which shall be paid in money within six months after the directors of said company shall have been chosen, and the residue in money to be paid twenty-five per centum in twelve months, and twenty-five per centum in eighteen months from and after said first meeting, under such penalties as the president and directors may, in their discretion, order and appoint.

Capital stock
\$50,000, shares
\$50 each

SEC. 4. The capital stock of said company may hereafter be increased to any amount not exceeding five hundred thousand dollars, should a majority of the stockholders deem it advisable. And the additional stock so subscribed, and fifty per centum thereof, paid in within six months after the said capital stock shall have been so increased. The stock of said company shall be deemed personal property and assignable and transferrable on the books of the incorporation, but no stockholder indebted to the corporation shall be permitted to make a transfer until such debt be paid or secured to the satisfaction of the directors.

Stock may be
increased not
exceeding
\$500,000

Stock deemed
personal prop-
erty

SEC. 5. That Hart Fellows, Edward Doyle, A. Dunlap, Joseph Burton, James McCroskey, Daniel V. Dawley, and J. Parrott, are hereby appointed commissioners to receive subscriptions to the capital stock of said company. Said commissioners, or a majority of them, shall open one or more subscription books for said stock, on such days and at such places as they may deem proper, and keep the same open until the whole of said capital stock shall be subscribed, giving at least twenty days notice of the time and place where such subscription books will be opened. The sum of one dollar shall be paid to said commissioners on each share that may be subscribed; and whenever the whole amount of the capital stock shall be subscribed, said commissioners, or a majority of them, shall call a meeting of the stockholders by giving public notice in some newspaper published in this state, at least fifteen days for the purpose of choosing a board of directors in pursuance of this act, which meeting shall be held in the town of Rushville. And so soon as a board of directors shall be chosen and organized, said commissioners shall deliver the subscription books and the whole amount they may have received on such subscriptions, to the board of directors.

Commissioners
appointed

Notice

SEC. 6. The stock, property, and all the transactions and business of said company shall be conducted by nine directors, who shall be chosen by the stockholders, by ballot or authorised proxies (each share shall be entitled to one vote,) and shall, at the time of their election and during the time they shall hold the office of directors, be citizens of this state, and holders respectively, of not less

Conducted by
9 Directors

than ten shares of the capital stock of said company.—
Term of office Said directors shall hold their office for one year from their election and until their successors shall be elected and qualified. They shall elect one of their own body president, and in case of the death or resignation of any of the said board of directors whereby a vacancy shall occur, it shall be lawful for a majority of the surviving or remaining directors to call a meeting of the stockholders to fill such
Can fill vacancies vacancy.

Power to make by-laws **SEC. 7.** The president and four of the directors or five of the directors in the absence of the president shall be a board competent to the transaction of business, and shall have power to make such rules, regulations and by-laws, as to them may seem proper, touching the management and disposition of the property, stock, and effects of said company, and the transfer of stocks, and touching the duties of the several officers and clerks employed by them, and the election of directors and all such matters as appertain to the business of insurance, and shall also have
To appoint a secretary power to appoint a secretary, and to regulate the salaries and wages of all persons in their employ: *Provided*, Such by-laws and rules are not repugnant to the constitution and laws of this state or of the United States.
Proviso

To make dividends **SEC. 8.** It shall be the duty of the directors of said company at such times as the by-laws thereof shall prescribe, to make dividends of the profits and interest accruing from the business of said company, as to them shall seem meet and proper, and shall lay before the stockholders a particular statement of the profits, if any there be, after deducting losses and dividends, and also such other information relative to the affairs of said company whenever a majority of the stockholders shall require it. And said corporation shall not take any risk, nor subscribe any policy by virtue of this act, until one moiety of the capital stock of said company shall have been actually paid in.

Shall not trade **SEC. 9.** Said company shall not, directly or indirectly; deal or trade in buying or selling any goods, wares, merchandise, or commodities whatever; and the capital stock of said company, collected at each instalment shall, within six months thereafter, be invested either in real estate or loaned and secured by mortgage of real estate; or on personal security in this state, at such rates of interest as are lawful for individuals to charge and receive in this state: *Provided*, That it shall not be lawful for any body corporate, bank, or company without the limits of this state to hold any portion of the capital stock of said company; nor shall any body corporate, bank, or company in this state, holding stock of said company, be entitled to vote at any election for directors of said company.
Proviso

SEC. 10. That in case of any loss or losses taking place ^{In case of loss-} which shall be equal to the amount of the capital stock of ^{es} said company, and the president and directors after knowing of such loss or losses having taken place, shall subscribe to pay any policy of insurance, their estates, jointly and severally shall be accountable for any and every loss which shall take place under policies so subscribed and the estates of the stockholders aforesaid, shall be liable to any losses equal to the amount of said capital stock subscribed and not actually paid in, in all cases of losses exceeding the means of said company, whether they consist of stock paid in, or profits not divided.

APPROVED 2d March, 1837.

AN ACT to incorporate the Rush Medical College

In force March 2, 1837

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Theophilus W. Smith, Thomas Ford, E. D. Taylor, Josiah C. Goodhue; Isaac T. Hinton, John T. Temple, Justin Butterfield, Edmund S. Kimberly, James H. Collins, Henry Moore, S. S. Whitman, John Wright, William B. Ogden, Ebenczer Peck, John H. Kinzey, John D. Caton and Grant Goodrich, be, and they are hereby created a body politic and corporate, to be styled and known by the name of the "Trustees of the Rush Medical College," and by that style and name to remain and have perpetual succession. The College shall be located in or near Chicago, in Cook county. The number of trustees shall not exceed seventeen, exclusive of the Governor and Lieutenant Governor of this State, the speaker of the House of Representatives, and the president of the College, all of whom shall be ex officio members of the board of trustees.

Body politic & corporate created Name

Where located No. of trustees

SEC. 2. The object of incorporation shall be to promote the general interests of medical education, and to qualify young men to engage usefully and honorably in the professions of medicine and surgery.

Object of incorporation

SEC. 3. The corporate powers hereby bestowed, shall be such only as are essential or useful in the attainment of said objects, and such as are usually conferred on similar bodies corporate, namely: In their corporate name to have perpetual succession; to make contracts; to sue and be sued, to plead and be impleaded; to grant and receive by its corporate name, and to do all other acts as natural persons may; to accept and acquire, purchase and sell pro-

To purchase & sell property

erty, real, personal, or mixed; in all lawful ways to use; employ, manage, dispose of such property, and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the objects aforesaid; to have a common seal, and to alter and change the same; to make such by-laws as are not inconsistent with the constitution and laws of the United States, and this State; and to confer on such persons as may be considered worthy, such academical or honorary degrees as are usually conferred by such institutions.

To make by-laws
To confer degrees

Trustees may prescribe and regulate course of studies
Appoint instructors and other officers

SEC. 4. The Trustees of said College shall have authority, from time to time, to prescribe and regulate the course of studies to be pursued in said College; to fix the rate of tuition, lecture fees, and other College expenses; to appoint instructors, professors, and such other officers and agents as may be needed in managing the concerns of the institution; to define their powers, duties and employments, and to fix their compensation; to displace and remove either of the instructors, officers or agents, or all of them, whenever the said trustees shall deem it for the interest of the College to do so; to fill all vacancies among said instructors, professors, officers or agents; to erect all necessary and suitable buildings; to purchase books and philosophical and chemical apparatus, and procure the necessary and suitable means of instruction in all the different departments of medicine and surgery; to make rules for the general management of the affairs of the College.

Fill vacancies

To procure apparatus

To make rules

Trustees may remove other trustees for misconduct

No removal without giving notice

SEC. 5. The board of trustees shall have power to remove any trustee from office for dishonorable or criminal conduct; *Provided*, That no such removal shall take place without giving to such trustee notice of the charges preferred against him, and an opportunity to defend himself before the board, nor unless two-thirds of the whole number of trustees for the time being, shall concur in such removal. The board of trustees shall have power whenever a vacancy shall occur by removal from office, death, resignation, or removal out of the State, to appoint some citizen of the State to fill such vacancy. The majority of the trustees for the time being, shall constitute a quorum to transact business.

SEC. 6. The trustees shall faithfully apply all funds by them collected, in erecting suitable buildings; in supporting the necessary instructors, professors, officers and agents; and procuring books, philosophical and chemical apparatus, and specimens in natural history, mineralogy, geology and botany, and such other means as may be necessary or useful for teaching thoroughly the different branches of medicine and surgery; *Provided*, That in case any donation, devise, or bequest, shall be made for partic-

Proviso

ular purposes, accordant with the objects of the institution, and the trustees shall accept the same, every such donaton, devise, or bequest, shall be applied in conformity with the express condition of the donor or devisor; *Provided also*, Further provi- so That lands donated or devised as aforesaid, shall be sold or disposed of as required by the last section of this act.

SEC. 7. The treasurer of said College always, and all Treasurer to give bond and security other agents, when required by the trustees, before entering upon the duties of their office, shall give bonds respectively, for the security of the corporation, in such penal sum, and with such sureties as the board of trustees approve; and all Process, how served process against said corporation shall be by summons, and service of the same shall be by leaving an attested copy with the treasurer of the College, at least thirty days before the return day thereof.

SEC. 8. The lands, tenements and hereditaments, to be Lands held in perpetuity shall not exceed 640 acres held in perpetuity in virtue of this act, by said institution, shall not exceed six hundred and forty acres; *provided, however*, That if donations, grants or devises of land, shall from time to time be made to said corporation, over and above six hundred and forty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said corporation, for the period of six years from Period the date of any such donation, grant or devise; at the end of which time, if the said lands, over and above the six hundred and forty acres, shall not have been sold, then, and in that case, the lands so donated, granted, or devised, shall revert to the said donor, grantor, or to their heirs.

APPROVED 2d March, 1837.

AN ACT to incorporate the Unity Manufacturing Company.

In force 2d March, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That David Hailman, Peter Hailman, Lemuel B. Lisenbee and Thomas Howard, and their associates and successors, be, and they are hereby constituted a Constituted a body corporate and politic body politic and corporate, and under the name of the "Unity Manufacturing Company," to be located at or near the town of Unity, in the county of Alexander, and by that name shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, in all courts having competent jurisdiction, and shall be vested with all the Powers and privileges powers and privileges necessary to the objects of their incorporation,

To give and receive promissory notes

SEC. 2. The said company shall have power to give and receive promissory notes; to enter into and carry on all kinds of mechanical and manufacturing business; to erect mills, furnaces and machine shops, for the manufactory of flour, lumber, woolen and cotton goods, castings, machinery and farming utensils.

Real estate may be owned by company

SEC. 3. The real estate owned by the company, over and above the lots of land on which their buildings are erected, shall not exceed six hundred and forty acres, except such as shall be held as collateral security for debts *bona fide* owed to the said corporation, or may become the property thereof by virtue of such indebtedness; and further, no real estate acquired by such indebtedness, shall remain the property of said corporation for a longer period than five years, under a penalty of a forfeiture to the people of said county.

Amount of capital stock, and may be increased

SEC. 4. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same at the pleasure of said company, to any sum not exceeding three hundred thousand dollars, which capital stock shall be divided into shares of fifty dollars each; *Provided*, That the total amount of debt said company shall owe, shall never exceed the amount of their capital stock; and in case of such excess, those under whose administration it shall happen shall be holden for the same in their natural and private capacity; but this shall not be construed to exempt the corporate property of the company from being also liable and chargeable for such excess.

Proviso

Subscriptions opened by directors, &c.

SEC. 5. Subscriptions to the capital stock of said corporation shall be opened under the direction of the directors hereafter named; and if more than one hundred thousand dollars be subscribed, they shall distribute the stock among the several subscribers, in such manner as they may think will best promote the interest of the company; and it shall be the duty of the directors for the time being, to call for and demand of the stockholders, respectively, all sums of money by them subscribed, at such time, and in such proportions, as they shall see fit, under the penalty of the forfeiture of their shares and previous payment made thereon, to the said corporation, always giving thirty days notice in some newspaper in the State, printed in or nearest said town.

Shares may be forfeited

Directors elected, to conduct the affairs of corporation

SEC. 6. The stock, property and concerns, of the said corporation, shall be managed and conducted by five directors, who shall, at the time of their election, be holders respectively, of not less than fifteen shares of the capital stocks of said company; said directors shall be chosen annually, on the first Mondays in June, by the stockholders or their proxies, which shall be by ballot; each share of

the capital stock shall be entitled to one vote, and the five persons receiving the greatest number of votes shall be deemed duly elected, to hold their office one year and until others are elected to fill their places; the directors so chosen, or a majority of them, shall constitute a board and be competent to the transaction of business, and may from time to time make and prescribe, such by-laws, rules and regulations, relative to the concerns of said corporation; the duties of the president and agents, (each of whom shall be elected by a majority of the directors so chosen,) and shall also regulate the duties of their agents, clerks, and all others by them employed; and also shall appoint a treasurer, who shall give bond to the president and directors, in such amount, and in such manner, as the said directors shall prescribe; and the said directors shall have power to appoint such other officers, agents and clerks, as may be necessary to carry on the business of said corporation.

Term of office

Treasurer to give bond

SEC. 7. David Hailman, Peter Hailman, Lemuel B. Lisenbee and Thomas Howard, shall be directors from the time this act takes effect, and until others are elected in their stead. Four weeks previous notice of an election, after the first shall be given, of the time and place of holding such election, by publishing such notice, once in each week, for four weeks immediately preceding such election, in a newspaper printed in or nearest said town, and said election shall be holden under the inspection of said directors.

Notice to be given for election

SEC. 8. The corporation hereby created shall continue twenty years, and no longer.

Duration

SEC. 9. The company shall at all times keep proper books of accounts, in which shall be registered all the transactions of the corporation, and the same shall at all times be subject to the inspection of the stockholders; and it shall be the duty of the directors to make annual dividends, or at such other times as a majority of the directors may direct, of so much of the profits of said company, as to them, or a majority of them, shall appear advisable; and the said directors whenever required by a majority of the stockholders, shall exhibit at a general meeting, a full and perfect statement of the debts and credits, and all such other matters as shall be deemed essential, relating to the affairs of the company.

Company to keep books of accounts, &c.

SEC. 10. A majority of the stockholders whenever they deem it necessary, may call a special meeting of the company; and provided the regular elections shall not take place at the time herein provided for, it shall be lawful for any two of the stockholders to call a special election, giving notice of the time and place as herein provided.

Stockholders may call a special meeting

SEC. 11. The stock not disposed of by the directors in

Stock not disp

posed of may be issued by directors the manner hereinbefore named, shall and may be issued by the directors for the time being, according to the by-laws and regulations that may be adopted by the said company.

Stock deemed personal property. SEC. 12. The stock of said company shall be deemed personal property, and assignable and transferrable on the books of the corporation, but no stockholder indebted to the corporation shall be permitted to make a transfer until such debt be paid, or secured to be paid, to the satisfaction of the directors.

Company not invested with banking privileges SEC. 13. That nothing in this act shall be so construed as to invest said company with any banking privileges, or to authorize them to make, emit, or alter, any bills of credit, bank notes, promissory notes, or other things to be used as a circulating medium, as, and in lieu of money.

Public act SEC. 14. This act is hereby declared to be a public act, and shall be so taken and liberally construed, and shall take effect and be in force from and after its passage,

APPROVED 2d March, 1837.

In force March 2, 1837.

AN ACT to incorporate the Calhoun Coal and Mining Company.

Company incorporated. Name. SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That Jeremiah A. Townsend and William Lane, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the "Calhoun Coal and Mining Company," for the more convenient ownership and mining of coal, metals and minerals, in the counties of Calhoun and Madison, state of Illinois, and the transaction of the usual business of companies engaged in the mining, smelting, transporting and selling the products of coal, metal, mineral and other mines.*

Powers. *And the said corporation, by the said name, is declared and hereby made capable in law to sue and be sued, to plead and be impleaded, to have a common seal, and the same to alter or destroy at pleasure; to make rules and by-laws, for the management of said corporation, consistent with the laws of this state, and generally to do and execute whatever by law, shall appertain to such bodies politic.*

Common seal.

Capital stock. SEC. 2. The capital stock of said corporation shall consist of twenty-five thousand dollars, to be divided into five hundred shares of fifty dollars each, which capital shall be employed in purchasing and holding lands, not to exceed two thousand acres; in constructing and employing build-

Share.

Lands, buildings, &c.

ings, machinery, vessels, boats, arks, and such other improvements as shall be necessary or useful for the transacting of the business of mining, coaling, smelting, transporting and selling the products of coal, metal, mineral and other mines; *provided nevertheless*, That the stockholders of said corporation, at a general meeting, and by a vote, the majority of which shall represent a majority of the whole stock of the corporation, may and are hereby empowered to increase the capital stock of said corporation to fifty thousand dollars, divided into shares of fifty dollars each, and to be employed in the manner aforesaid, which increase shall be sold or distributed, as the votes aforesaid, representing a majority of all the stock of said corporation, shall direct.

Provided.

Capital stock may be increased.

SEC. 3. That for the purpose of carrying into effect the object of this act of incorporation, Nathaniel Buckmaster, Jeremiah A. Townsend, John Webster Chickering, Jacob C. Bruner, E. A. Harrison, and William Lane, are hereby appointed commissioners to obtain subscriptions to the capital stock of said company; and the commissioners or a majority of them, shall cause books of subscription to be opened at Alton, in Madison county, under their own supervision, and at St. Louis, in the state of Missouri, under the supervision of Enoch C. March, or any other person appointed by them the said commissioners; and they shall cause twenty days notice to be given thereof, in some one or more papers printed in Alton and St. Louis. They may further take such measures for completing the subscription of the stock of said corporation, as they may deem expedient and proper. Every subscriber, shall at the time of making his subscription, pay the sum of one dollar on each share subscribed, and should more than the whole amount of the capital stock of said corporation be subscribed for, a majority of the subscribers shall have power to apportion, to each subscriber, the amount of stock to which each individual shall be entitled; *provided*, That the rule of apportionment shall be general, and shall apply to each subscriber.

Commissioners appointed to receive subscriptions of stock. Further duties.

What amount to be paid on each share. When stock shall be apportioned.

Provided.

SEC. 4. The capital stock, property, and all concerns of the corporation, shall be managed by five directors, chosen from the stockholders, who shall have power to appoint from their number a president, secretary, treasurer, and such other officers, as they may deem expedient and proper, for the management of the business of the corporation. The first election for which directors shall be, after public notice given by said commissioners, or a majority of them, for twenty days, in some one or more papers published in Alton and Saint Louis, who shall hold their offices for one year, or until their successors are ap-

Concerns how managed. Directors.

President, directors, &c.

First election.

In elections, how votes may be given.

pointed; and the meeting for the choice of all directors, after the first, shall be holden at such time and place, as the stockholders, representing a majority of all the stock of the corporation shall appoint; of which meeting notice shall be given to each stockholder by the secretary of the corporation. In all elections for directors, or in transacting any other business of the corporation, that may come before the stockholders, each stockholder shall be entitled to one vote for every share held by him or her, which may be given by self or by proxy, duly authorized in writing, and a majority of the votes thus given, shall be necessary for the election of directors, or the affirmative decision of any other business acted upon.

Further power of directors

SEC. 5. The directors, or a majority of them, may require the payment of the stock subscribed, in such sums, at such time and place, and under such conditions, as they shall deem proper, a notice of which shall be given in writing to each subscriber; and if any stockholder shall fail to pay his proportion or instalment, as specified in said notice, the amount previously paid by such delinquent stockholder shall be forfeited to the corporation, and his stock may be sold to any person, and for such price as may be agreed upon between the directors of said corporation and the purchaser.

Dividends.

SEC. 6. Dividends of the profits accruing upon the business of said corporation, shall be made from time to time, payable at such time and place as the directors shall appoint.

Stock deemed personal property.

SEC. 7. The stock of said corporation shall be deemed personal property, and shall be assignable and transferrable upon the books of the corporation, according to such rules and regulations as the directors shall from time to time make and establish; and no stockholder, indebted to said corporation, shall be permitted to make a transfer or receive a dividend until such debt be paid or secured to the satisfaction of the directors.

Directors to keep books of record and account.

SEC. 8. The directors shall keep, or cause to be kept, proper books of record and account, in which shall be regularly entered, all the transactions of the corporation; which books shall, at all times, be subject to the inspection of the stockholders.

Duration of charter.

SEC. 9. The corporation created by this act, shall continue for twenty years and no longer.

APPROVED 2nd March, 1837.

AN ACT to incorporate the Peoria Manufacturing and Exporting Company. In force March 2, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That all such persons as shall become stockholders to the stock hereinafter created, shall be constituted a body politic and corporate by the name and style of the "Peoria Manufacturing and Exporting Company," and by that name and style they and their successors shall have power to contract and be contracted with, to sue and be sued, to plead and be impleaded, in all courts and p'aces whatever, and to do all other acts as natural persons, for the term of twenty years from the passage of this act; may purchase, hold and convey any real or personal estate for the use of said company; may have a common seal and alter or change the same at pleasure; *provided however,* that the real estate owned by said company, at any one time, shall not exceed one quarter section.

Body politic & corporate created.

Style

Powers

Proviso

SEC. 2. Said company shall have power, and they are hereby authorized, to erect mills and other buildings, to manufacture flour, lumber and machinery; to erect furnaces and machine shops; to manufacture and build steam engines and boats, and use the same in exporting their manufactured articles and products, and to deal in and purchase grain and other articles of produce.

Further power.

SEC. 3. The capital stock of said company shall be fifty thousand dollars, and be divided into shares of fifty dollars each, and may be increased at any time to an amount not exceeding one hundred and fifty thousand dollars, when a majority of the stockholders shall deem it advisable; which shall be decided by a vote at any general meeting of said stockholders.

Capital stock. Shares.

Stock may be increased.

SEC. 4. For the purpose of carrying into effect the objects of this incorporation, Jacob D. Shewalter, Francis Voris, Thomas J. Hurd, Aquilla Wrenn, Andrew Gray, and John C. Caldwell, are hereby appointed commissioners to obtain subscriptions to the capital stock of said company. Said commissioners or a majority of them, after having given ten days notice in a newspaper printed in Peoria, shall open books for the subscription of the stock herein created, at some place in the town of Peoria, and keep the same open for ten days, unless the said stock shall have been sooner subscribed for. If the whole of the said capital stock shall not be subscribed for during the ten days, in which the said books are kept open, the said commissioners shall make such other arrangement for the further disposition of said stock, as they shall think advisable for the sale of the same. One dollar on each share of said stock shall be paid at the time of subscrip-

Commissioners to obtain subscriptions to stock.

Their duties.

If whole of capital stock not subscribed commissioners may make other arrangements.

One dollar to be paid on each share.

tion, the residue at such times and in such instalments, as the president and board of directors shall call for the same.

When election shall be held for directors. **Who inspectors. Votes.** **President and other officers**

SEC. 5. As soon as one half of the said capital stock shall have been subscribed for, the said commissioners shall give public notice to the stockholders by publication in a newspaper printed in Peoria, that an election will be held at some place in said town of Peoria, for five directors, to be chosen by said stockholders; at which election the said commissioners shall be inspectors. Each share shall be entitled to one vote, which may be given in person or by proxy, and the five persons having the highest number of votes shall be declared duly elected, and shall be directors of said company until others are elected and qualified. They shall choose one of their number as president of the board, and appoint such other officers and agents as may be necessary for the management of their business.

Concerns, how managed **Proviso**

SEC. 6. The said president and directors shall have the management of the concerns of said company; they shall have power to make such by-laws as they shall think necessary for the good government of their concerns; *Provided*, Such by-laws are not repugnant to the constitution and laws of the state.

Annual elections **Stock deemed personal property**

SEC. 7. The election of directors shall be annually on the first Monday of the month in which the first set of directors are elected. The stock of said company shall be deemed personal property, and transferrable on the books of said company, but no person indebted to said company shall be permitted to transfer his stock, until such debt be discharged to the satisfaction of the directors of said company.

APPROVED 2d March, 1837.

In force 2d
March, 1837.

AN ACT to incorporate the Dixon Hotel Company.

Constituted a body politic & corporate **Name** **Powers**

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That John Atchison, James Evans, Charles S. Boyd, Wm. C. Bostwick, Charles Chapman, John Dixon, Smith Galbreath, James P. Dixon, L. S. Huff, John Brown, and Samuel Johnson, their associates and successors, be and they are hereby constituted a body politic and corporate, under the name of the "Dixon Hotel company," to be located in the town of Dixon, Ogle county; and by that name shall have power to

contract and be contracted with, and may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts having competent jurisdiction, and shall be vested with all the powers and privileges necessary to the object of their incorporation, as are hereinafter defined and limited.

SEC. 2. The said company shall have power and be capable of holding, purchasing, improving, selling, and conveying any estate, real or personal, for the use of said corporation; second, to improve or erect buildings on the same; third, to rent, lease, or occupy any or all such lands belonging to said company for a term not exceeding the limits of this charter: *Provided*, That the real estate, owned by said company, shall not exceed one quarter section of land, except such as may be held as collateral security for debts due said company, or may become the property thereof by virtue of such indebtedness.

Further powers
as regards real
estate

Proviso.

SEC. 3. The capital stock of said company shall be twenty thousand dollars, which capital stock shall be divided into shares of fifty dollars each, and subscribed for and held in a manner hereinafter provided.

Capital stock

Shares

SEC. 4. All contracts, or other evidences of indebtedness, which may be made or entered into by said corporation, shall be subscribed by the president and attested by the secretary; and being so signed and attested, shall be binding on said corporation; and all conveyances made and entered into by the said corporation, conveying real estate belonging to said corporation, when signed and attested as aforesaid, shall in like manner be binding on said corporation, according to the tenor, effect, and true intent and meaning of the same.

Duties of presi-
dent & secre-
tary

SEC. 5. The concerns of said corporation shall be managed and conducted by five directors, who shall be chosen annually by the stockholders or their proxies, which shall be by ballot, and the five persons receiving the greatest number of votes shall receive the certificates of the inspectors, declaring them duly elected. The directors so chosen, or a majority of them, shall constitute a board, and be competent to the transaction of business; and may from time to time make and prescribe such by-laws, rules and regulations relative to the concerns of said corporation; the duties of the president and secretary, (each of whom shall be elected by a majority of the directors so chosen,) and shall also regulate the duties of their agents, clerks, and all others by them employed, and also shall appoint a treasurer who shall give bond in such amount and in such manner as the said directors shall prescribe; and the said directors shall have power to ap-

Directors, their
number, pow-
ers, duties, and
mode of elec-
tion

Treasurer ap-
pointed by
them to give
bond

- point such other officers, agents, and clerks as may be necessary for to carry on the business of said corporation, with such salaries and allowances as to the said directors shall seem proper: *Provided*, That such by-laws and regulations shall not be repugnant to the constitution and laws of the United States, or this State.
- Proviso**
- Commissioners to receive subscriptions**
Duties
- Notice**
- \$5 to be paid on each share subscribed**
- Notice for directors**
- Stock deemed personal property**
- Company shall keep proper books of acc'ts**
- Dividends**
- Shall exhibit statements**
- SEC. 6.** That James Evans, Smith Galbreath, Charles Chapman, James P. Dixon, and C. S. Boyd shall be commissioners, the duties of whom, or a majority of them, shall be to open books of subscription to the capital stock of said company within three months after the passage of this act, in such places and at such times as in their opinion is best calculated to have said stock taken up.— Twenty days notice shall be given by the said commissioners, of the time and place and number of days the subscription books will be kept open for subscriptions, in a public newspaper, or by putting up advertisements at the places where they intend to open books for the subscription of the capital stock of said company. The commissioners shall receive no subscription, unless at least five dollars, on each share subscribed, be paid in at the time of subscription, and as soon as the whole amount of the capital stock shall be subscribed, the commissioners shall give like notice of twenty days for the meeting of the stockholders, for the purpose of choosing five directors, designating the time and place of holding such election, at which election persons holding stock of said company shall be permitted to vote. The said commissioners shall be inspectors of the first election of directors, and shall certify under their hands the names of those duly elected, and deliver over to them the subscription books and the amount of money received on subscriptions to the said directors.
- SEC. 7.** The stock of said corporation shall be deemed personal property, and be assignable and transferrable on the books of the corporation; but no stockholder, indebted to the company, shall be permitted to make a transfer, until such debt be paid, or secured to be paid to the satisfaction of the directors.
- SEC. 8.** The company shall at all times keep proper books of account in which shall be registered all the transactions of the corporation, and the same shall at all times be subject to the inspection of stockholders; and it shall be the duty of the directors to make annual dividends, or at such other times as a majority of the directors shall direct, of so much of the profits of said company as to them may appear advisable; and the said directors shall, whenever required by a majority of the stockholders, exhibit, at a general meeting, a full and perfect statement of the debts and credits, and all such

other matters as may be deemed essential relating to the affairs of the company.

SEC. 9. The stock not disposed of by the commissioners, hereinbefore named, shall and may be issued by the directors for the time being, according to the by-laws and regulations that may be adopted by the said company. Surplus stock,
how disposed of

SEC. 10. As soon as twenty per cent. of the capital stock of said corporation shall be paid in, the said corporation shall be authorized to proceed to business, and not before. When compa-
ny may proceed
to business

SEC. 11. This act is hereby declared a public act, and shall take effect from and after its passage, and be and remain in force for twenty years. This a public
act

APPROVED 2d March, 1837.

AN ACT to incorporate the Lewiston and Liverpool Rail Road Company. In force March
2, 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Stephen Dewey, Stephen H. Pitkin, Myron Phelps, William Proctor, P. H. Hart, E. D. Rice, Freeman Phelps, William Johnson, A. G. Miller, Hugh Lamaster, N. Walker, John McNeal and S. Bearse, and their associates, successors, and assigns, be and they are hereby created a body corporate and politic, under the name of the "Lewiston and Liverpool Rail Road company," and by that name shall be and are hereby made capable in law to sue and be sued to final judgment and execution, plead and be impleaded, defend and be defended, in any court of record or in any other place whatsoever; to make, have, and use a common seal, and the same to alter and renew at pleasure, and shall be and are hereby vested with all the privileges, powers, and immunities which are or may be necessary to carry the purposes and objects of this act into effect; and are made capable of purchasing, holding, and conveying real and personal estate, of contracting and being contracted with, as hereinafter limited and set forth. And the said corporation are hereby authorised and empowered to locate, construct, and finally complete a rail road, commencing at or near Liverpool, from thence to Lewiston, and may extend it to intersect with the Warsaw and Peoria rail road, in such manner and form as they shall deem to be most expedient; and for this purpose said company are Corporation
created
Name of com-
pany

Powers and
privileges

To construct a
rail road

hereby authorised to lay out their road not exceeding eight rods wide through its whole length, and for the purpose of cuttings, embankments, and procuring stone and gravel, may take as much more land as may be necessary for the proper construction and security of said rail road: *Provided, however,* That all damages that may be occasioned to any person or corporation by taking of such land or materials for the purposes aforesaid shall be paid for by said company in the manner hereinafter provided.

Width of road
Proviso
Amount of capital stock
Board of directors
President to be elected
To be sworn
Treasurer to give bond

SEC. 2. The capital stock of said company shall consist of three thousand shares, of one hundred dollars each; and the immediate government and direction of the affairs of said company shall be vested in a board of not less than five directors, who shall be chosen by the members of the corporation in the manner hereinafter provided, and shall hold their offices until others shall be duly elected and qualified to take their places as directors. And the said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their number to be president of the board, who shall also be president of the company, and shall have authority to choose a clerk, who shall be sworn to the faithful discharge of his duty; and a treasurer, who shall give bonds to the corporation with securities to the satisfaction of the directors, in a sum not less than ten thousand dollars for the faithful discharge of his trust.

Constructing and completing rail road, &c.
Can erect toll-gates and collect toll
Can hold lands
To make assessments

SEC. 3. The president and directors for the time being are hereby authorised and empowered by themselves or their agents to exercise all the powers herein granted to the company for the purpose of locating, constructing, and completing said rail road; and for the transportation of persons, goods, and merchandise, and other property of all descriptions, and to establish, for the benefit of said company, such rates of toll as they may agree upon from time to time, under such rules and regulations as said directors may prescribe and direct, and may erect toll-houses, establish gates, and demand toll upon the road when completed, or upon such parts thereof, as shall from time to time be completed, and may have all such other powers and authority for the management of the affairs of the company not heretofore granted as may be necessary and proper to carry into effect the objects of this act, to purchase and hold lands, materials, engines, cars, and other necessary things for the use of the road, and to make such equal assessments from time to time on all the shares in said company as they may deem expedient and necessary, and direct the same to be paid to the treasurer of the company.

SEC. 4. The said company shall have power to make, ordain, and establish all such by-laws, rules, and regulations

as they may deem expedient and necessary to accomplish the designs and purposes, and to carry into effect the provisions of this act, and for the transfer and assignment of its stock, the conveyance of property, and payment of assessments, and the well ordering, regulating, and securing of the interest and affairs of said company: *Provided*, the same are not repugnant to the laws of this state, or of the United States.

Company may pass by-laws, &c.

Proviso

SEC. 5. The said company shall be holden to pay all damages that may arise to any person or corporation by taking their land for said rail road, when it cannot be obtained by voluntary agreement, to be estimated and recovered in the manner provided by law for the recovery of damages happening by laying out highways.

Company to pay damages

How damages to be assessed

SEC. 6. When the land or other property or estate of any feme covert, infant, or person *non compos mentis*, shall be necessary for the construction of the said rail road, the husband of such feme covert, and the guardian of such infant or person *non compos mentis* may release all damages for any lands or estate taken and appropriated as aforesaid, as they might do if the same were holden by them in their own right respectively.

Guardian may release damages

SEC. 7. The said company are hereby authorised to construct the said rail road across any water course, road, or public highway, subjecting themselves to any damages that may be incurred in so doing.

To construct rail road over water courses, &c.

SEC. 8. If any person or persons shall willfully do or cause to be done any injury to said rail road, or to any carriage, car, engine, machine, toll-house, or other building or any structure whatever belonging to said corporation, the person or persons so offending shall forfeit and pay the said corporation double the amount of damages sustained by means of such offence or injury, with all the costs of action, before any court of record in this state, and the person or persons so offending shall be further declared guilty of a misdemeanor and liable to fine and imprisonment.

Persons injuring property, to forfeit, &c.

Liable to indictment

SEC. 9. The annual meeting of the members of said corporation shall be holden on the first Monday in November in each year, at Lewiston, or such other place as the president and directors for the time being, may appoint; at which meeting the directors shall be chosen by ballot, each proprietor being entitled to as many votes as he holds shares; and any two of the individuals named in the first section of this act, are hereby authorised to call the first meeting of the said company, by giving notice in some newspaper published at Springfield, of the time, place, and purpose of such meeting, at least ten days before the time mentioned in such notice.

Election, when and where to be, &c.

To give notice

May extend road
Can increase capital stock

SEC. 10. The said company are hereby authorised to extend the said rail road herein provided for from Lewiston to meet the Warsaw and Peoria rail road, or other rail roads which may hereafter be constructed by companies or the state, and may increase their capital stock to an amount sufficient to extend and complete the same by a vote of the stockholders, at a meeting specially notified for the purpose, to be divided into shares of one hundred dollars each, and assessed as the shares which are already created.

State may purchase rail road
Proviso

SEC. 11. It shall be lawful for the legislature of this state at any time during the continuance of the charter of the said rail road, after the expiration of twenty years from the opening for use of the rail road herein provided to be made, to purchase of the said company the said rail road and all the franchise, rights and privileges of the said company, by paying said company the amount expended in making said rail road, and twelve per cent. interest upon the same from the time of payment by the stockholders: *Provided, however,* That the nett income from tolls shall not have amounted to twelve per cent. per annum at the time of purchase by the state.

Act to be in force for fifty years

SEC. 12. This act shall continue in force for the term of fifty years, and upon departure from or violation of any provisions of this act, the legislature may alter, amend, or repeal the same if the deemed they public good shall require it, and shall be deemed and taken to be a public act, from and after the passage thereof.

APPROVED 2d March, 1837.

In force 2d March, 1837

AN ACT to amend the act incorporating the Springfield and Alton Turnpike Road Company.

Turnpike road may be extended

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the Springfield and Alton Turnpike Road Company, incorporated by an act, entitled "An act to incorporate the Springfield and Alton Turnpike Road Company," approved March 1st, 1833, are hereby authorized and empowered to extend the road contemplated by said act from Springfield, in Sangamon county, to Bloomington, in McLean county. The said extended part to be in all respects subject to the provisions of the aforesaid act, and any and all acts subsequently made by way of amendment or supplement to the same.

APPROVED 2d March, 1838.

AN ACT to incorporate the Lawrenceville Manufacturing Company.

In force March 2d, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That all such persons as shall become subscribers to the stock hereinafter described shall be and they are hereby constituted and declared a body politic and corporate, by the name and style of the "Lawrenceville Manufacturing Company," from and after the passage of this act; and by that name they and their successors shall have perpetual succession, and shall in law be capable of suing and being sued, pleading and being impleaded in all courts and places whatsoever; they may have a common seal, and alter and change the same at pleasure; and they may be capable in law of purchasing, holding, and conveying such real and personal property as shall or may be necessary for the purposes and object of this act as hereinafter limited and set forth: *Provided,* That the real estate, owned by the company at any one time over and above the lots of land on which their buildings may be erected, shall not exceed one thousand acres, except such as may be held by them as collateral security for the debts *bona fide* owed to the said company, or may become the property thereof by virtue of such indebtedness; and, further, no real estate, acquired by virtue of such indebtedness, shall remain the property of the said company for a longer period than five years, under the penalty of a forfeiture thereof to the people of this State.

Constituted a body politic & corporate

May use a common seal, hold land, &c

Proviso.

Real estate to remain in possession no longer than 5 years

SEC. 2. The president and directors of said company hereinafter provided for shall have power to carry on the manufacture of grain, and other agricultural products in the county of Lawrence; and to erect mills and such other buildings as may be necessary to carry on their business; and to enter into all contracts which may concern the use and management of said property that may be necessary and proper to carry into effect the object of this grant.

May manufacture, build mills, &c

SEC. 3. The capital stock of said company shall consist of fifty thousand dollars, divided into one thousand shares of fifty dollars each.

Amount of Capital stock

SEC. 4. That, for the purpose of carrying into effect the objects of this incorporation, Samuel H. Club, James Nabb, Abner Green, John Micure, David B. Marney, John C. Reiley, Wm. G. Anderson, Benjamin McCleiff, George W. Kinkade, John Robinson, John McCleiff, John Fail, Jeremiah Robinson, and Nicholas Johnston are hereby appointed commissioners to obtain subscriptions to the capital stock of said company, and said commissioners, or any four of them, after giving general notice

Commissioners to obtain subscription to stock

thereof in some paper printed in this State, may open books for the subscription of said stock at such time and places as they may direct, and keep the same open till at least two hundred and fifty shares of said capital stock is subscribed. If the requisite number of shares shall not be subscribed within sixty days after the books are opened, said commissioners, or a majority of them, shall take such measures for completing such subscription as they may deem expedient and proper. Every subscriber shall at the time of subscribing, pay to said commissioners the sum of one dollar for each and every share so subscribed, and when such subscription is completed, or within sixty days thereafter, said commissioners, or a majority of them, shall call a meeting of the stockholders at Lawrenceville by a printed notice in some newspaper of general circulation nearest to said place.

Call a meeting
of stockholders

May elect di-
rectors, &c

SEC. 5. That at said meeting the stockholders of said company shall immediately proceed to elect five directors, who shall manage, direct, and govern the affairs of said company one year from the period of said election, and until their successors, who shall be vested with the same authority, are elected.

SEC. 6. And at said election each stockholder shall give one vote for each share of stock he may hold, and a majority of all the votes given shall be required to make an election.

SEC. 7. That the period of election shall be annually the first Monday in the month in which the first election was held.

Directors to
hold a meeting

Elect a presi-
dent & secre-
tary

Treasurer to
give bond

SEC. 8. That immediately after the directors are chosen as above, they shall hold a meeting, at which and all subsequent meetings a majority shall constitute a quorum, that they shall proceed to the election of a president from one of their number, a secretary who shall be sworn by a justice of the peace to the faithful discharge of his duties, and who shall record all votes of the corporation in a book to be by him kept for that purpose, a treasurer who shall give bond in such amount and in such manner as the said president and directors may direct, and such other officers and agents as may by them seem necessary for their regular government.

Directors may
make by-laws,
&c

SEC. 9. The said president and directors shall have power from time to time to make all such by-laws and rules not inconsistent with the constitution and laws of this State, which may be necessary for the payment or collection of subscriptions to its stock, and the transfer of the same, the conveyance of property, or that in any other way may concern the management and direction

of the affairs of said company in carrying into effect the provisions of this act.

SEC. 10. This act is declared a public act to be and remain in force for the term of twenty-five years from and after the date of its passage: *Provided*, That if said company shall not have been organized and business commenced within two years from July next, this act shall be void and of no effect.

Act deemed a public act

Proviso

APPROVED 2d March, 1837.

AN ACT to incorporate the Chippewa Dry Dock Company.

In force March 2, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That Benjamin F. Edwards, Andrew R. Skidmore, J. A. Townsend and Enoch Weathers, of Madison county, and their successors in office, duly elected as hereinafter directed, be, and they are hereby appointed a body politic and corporate, by the name and style of the "Chippewa Dry Dock Company," and shall be able and capable in law and equity, to sue and be sued, plead and be impleaded, in any and all courts of justice whatever, and shall be able to make and enforce contracts; to have and use a common seal; and by the name and style aforesaid, the said corporation shall have power, at the mouth of Wood river in Madison county, opposite the mouth of Missouri river, to construct and use one or more dry and wet docks, or other artificial works, in such form and manner as they may deem expedient for the purpose of building, receiving, and repairing, steam boats, sloops, vessels, and other craft, and shall be capable in law of holding as much lands and waters as may be necessary for the accommodation and furtherance of their business, connected with the said dry or wet docks.

Created a body politic and corporate.

Style
To sue and be sued

To have and use a common seal

To construct docks

What lands may be held

SEC. 2. The capital stock of the said company shall be twenty thousand dollars, divided into shares of one hundred dollars each; but it shall be lawful for the said corporation to commence their said business so soon as six thousand dollars shall have been subscribed for, and with that capital, to conduct and carry on the same until they shall find it expedient to extend their capital to the amount hereinbefore mentioned.

Capital stock

To commence business when \$6000 is subscribed for

SEC. 3. The subscription of stock to the said corporation shall be opened under the direction of the persons named in the first section of this act, or any two of them, who are hereby appointed commissioners for that purpose, and au-

How, when & where subscriptions of

stock may be received	thorized to receive subscriptions to the said capital stock, on such days, and at such places, after the passage of this act, as they shall appoint; which subscriptions shall be paid
How paid	at such time and in such manner, as the board of directors shall order and direct.
Concerns to be managed by five directors	SEC. 4. The stock, property, and concerns, of the said corporation shall be managed and conducted by five directors, who shall be stockholders, one of whom shall be president, who may respectively hold their offices for one year, and until their successors are chosen and qualified.
Notice of electing directors	SEC. 5. So soon as the sum of six thousand dollars shall be subscribed, the commissioners appointed by the first section of this act shall give notice by written advertisement, or in a newspaper, for an election of directors, at such place, and on such day, in the town of Edwardsville, as a majority of them shall direct; which notice shall be at least ten days previous to such election; at which time and place there shall be five directors chosen from among the stockholders, who shall hold their office for one year from the time of their election, and until their successors shall be elected; and they shall be elected by a majority of the votes given by the stockholders present, or by written proxy from those absent; and each stockholder shall be entitled to as many votes as he holds shares, and the said directors shall elect one of their own number to act as president of the said board of directors; and the said board shall have power to fill its own vacancies.
Term of office	SEC. 6. A majority of said directors shall form a quorum to transact the business of said company, and may enact such by-laws, rules and regulations, as they may deem expedient for the government of said corporation; and the said directors shall have full power and authority to put into operation all the designs contemplated in this charter; <i>Provided</i> , They be compatible with the laws and constitution of the United States, and of this State.
Votes Directors to meet & choose a president Fill vacancies	
Quorum	
By-laws	
Power of directors Proviso.	
Subsequent directors chosen annually	SEC. 7. After the term of service of the directors first chosen shall have expired, the directors thereafter shall be chosen annually, on the first Monday in May, at such place as a majority for the time being, shall direct; of which election prior notice shall be given at least ten days, by publication in some newspaper; and in case it shall happen at any time, that an election for directors shall not be made on any day, when, in pursuance of this act it ought to have been made, it shall be lawful to hold such election on any other day, in such manner as may be regulated by the by-laws of such corporation.
Notice	
Stock deemed personal property	SEC. 8. The stock of said corporation shall be personal property, and assignable on the books of the corporation only, and every transfer of stock shall be made

subject to the payment of any debt owing to said corporation by the stockholder at the time of making such transfer, although not payable until afterwards; and it shall and may be lawful for the directors, or a majority of them, to receive payment of the sums subscribed, at such time, and in such proportions, and on such conditions, as they, or a majority of them, shall deem fit, under the penalty of the forfeiture of all previous payments thereon, and previous notice of the instalments required shall be given.

SEC. 9. That it shall be the duty of the directors to make dividends of so much of the profits of the said corporation, arising from tolls, and other sources of revenue of said company, at such time as they, or a majority of them, shall deem advisable; and if any person or persons shall wilfully or knowingly do any act whatsoever, whereby the said dry or wet docks, or basins, or any of the works connected therewith, shall be injured, he, she, or they, so offending, shall forfeit and pay to the corporation, double the damages so sustained, together with costs of suit, in that behalf expended, to be recovered by action of debt, in any court having jurisdiction thereof.

Dividends.

Persons injuring works, how liable

SEC. 10. The corporation hereby created shall not engage in any banking business whatever.

Not to engage in banking

SEC. 11. This charter is limited to the term of fifty years from and after the first day of August, 1837. This act to be in force from and after its passage.

Charter limited

APPROVED 2d March, 1837,

AN ACT to incorporate the Peoria Hotel Company.

In force March 2, 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all persons who shall subscribe for stock to the incorporation hereby created, in the manner hereinafter provided, and their successors, be, and they are hereby constituted a body politic and corporate, under the name and style of the "President and managers of the Peoria Hotel Company." to be located in the town of Peoria, and by that name shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, in all courts and places having competent jurisdiction, and shall be vested with all the powers and privileges necessary to the object of their incorporation.

Name & style

Location

Powers

SEC. 2. That Edward Dickinson, James C. Armstrong, Commissioners

Aquilla Wrenn, Amos Stephens, Jacob D. Shewalter and John Hamlin, shall be commissioners, the duties of whom, or a majority of them, shall be to open books of subscription for the capital stock of said corporation, within twelve months from and after the passage of this act, at such places, and such times, as in their opinion is best calculated to have said stock taken; twenty days notice thereof shall be given in some newspaper published in the place or places in which it is proposed to open said books.

Time of, limited

20 days notice

Capital stock, may be increased

SEC. 3. The capital stock of said company shall be twenty thousand dollars; but said corporation shall have power to increase it to any sum not exceeding fifty thousand dollars, to be divided into shares of fifty dollars each, on each share of which one dollar shall be paid at the time of subscribing therefor.

Notice for meeting of stockholders

How votes to be given

Pay over moneys

SEC. 4. As soon as the whole amount of said capital stock shall be subscribed for, the said commissioners shall give a like notice of twenty days, for the meeting of the stockholders, for the purpose of choosing a president and four managers, designating the time and place of such election, when persons holding stock in said company shall be permitted to vote, either in person or by proxy, a number of votes equal to the number of shares they may severally hold; the said commissioners shall be inspectors of the first election of president and managers, and shall certify under their hands the names of the persons elected, and shall deliver to them the subscription books, and the money received on subscription, and who shall hold their offices twelve months, and until others shall be elected.

Erect buildings

Collateral security

If failing to comply

SEC. 5. The said corporation shall have power and be capable of purchasing, holding, improving, selling and conveying, any estate, real or personal, for the use of said corporation; to improve and erect buildings on the same suitable and proper, with out-buildings for a Hotel; and to rent, lease, or occupy, any, or all such lands and buildings, for the benefit of said corporation; *Provided*, That the real estate owned by said company shall not exceed fifty acres of land, except such as shall be held as collateral security for debts due to said company, or which may become the property of said company, by virtue of such indebtedness; but all lands the said company shall own, over and above the said fifty acres, shall be sold and disposed of within three years after the acquisition of the same, and in case of a failure to comply with this section, all such lands shall escheat to and become the property of this State.

SEC. 6. All contracts, or other evidences of debt, which may be entered into by this corporation, shall be subscribed by the president and attested by the secretary, and be-

ing so signed, shall be binding on the corporation; and all conveyances made and entered into by said corporation, conveying real estate belonging to said corporation, when signed and attested as aforesaid, shall in like manner be binding on said corporation according to the tenor, effect, and true intent and meaning of the same.

SEC. 7. The president and managers aforesaid, or a majority of them, shall constitute a board, and may from time to time, make and prescribe such by-laws, rules and regulations, relative to the concerns of the said corporation, not inconsistent with the constitution and laws of the United States, and of this State, as they may deem necessary for the management of the affairs of the concern; and for that purpose they shall have power to appoint a treasurer, and require of him such bonds as they may deem proper; and also, to appoint a secretary and such other officers as the business of the company may require.

Who a board

To make by-laws

Shall have power

To appoint officers

SEC. 8. The stock of said corporation shall be deemed personal property, and assignable and transferrable on the books of said corporation; but said president and managers shall have the power to prevent any stockholder, who shall be indebted to said corporation, from transferring his stock therein, until he shall have paid said debt.

Stock deemed personal property

SEC. 9. The company shall at all times keep proper books, in which shall be registered all their transactions, and the same shall at all times be subject to the inspection of the stockholders; and it shall be the duty of the directors to make dividends annually, or at such other time as the president and managers shall determine, of so much of the profits of said company as to them shall appear advisable.

Shall keep books

Shall make dividends

SEC. 10. As soon as twenty-five per cent. of the capital stock shall have been paid in, the said company shall be authorized to proceed to business, and not before.

When to proceed to business

SEC. 11. This act is hereby declared public, and shall be in force from and after its passage, and be and remain in force for thirty years.

Duration

APPROVED March 2d, 1837.

AN ACT to incorporate the New Canton and Picketon Rail Road Company. In force March 3d. 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Daniel B. Bush, Jonathan Piper, Robert W. Taylor, Charles T. Brewster, Joseph Jackson, Daniel Dutton, and Nathan Winters,

Created body politic and incorporate.

their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of the "New Canton and Picketon Rail-Road Company," and by that name shall be and are hereby made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in any court or courts whatsoever; to make and use a common seal, the same to alter and renew at pleasure; and by that name and style be capable in law of contracting and being contracted with; purchasing, holding, and conveying real and personal estate, for the purposes and uses of said corporation as hereinafter limited, and shall be and are hereby vested with all the powers and privileges, and immunities, which are or may be necessary to carrying into effect the purposes and objects of this act, as hereinafter set forth. And the said company are hereby authorized and empowered to locate, construct, and finally complete, a rail road for a double or single track, commencing at Picketon, on the Mississippi river, near the ware house of David Dutton, in said county of Pike, thence through New-Canton, to Pittsfield; and for this purpose said company are authorized to lay out their road not exceeding eight rods wide through the whole length; and for the purpose of cuttings, embankments, stone, wood and gravel, may take as much more land as may be necessary for the proper security and construction of said rail road; *Provided*, That all damages that may be occasioned to any person or persons or corporations, by the taking of such land or materials for the purposes aforesaid, shall be paid for [by] said company in the manner hereinafter provided.

SEC. 2. The capital stock of said company shall consist of five thousand shares, of fifty dollars each share; and the immediate government and direction of the affairs of said company shall be vested in a board of not less than five directors, who shall be chosen by the members of the corporation, in manner hereinafter provided, and shall hold their office until others shall be duly elected and qualified to take their place as directors. And the said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their number to be president of the board, who shall also be president of the company, and have authority to choose a secretary, who shall be sworn to the faithful discharge of his duty, and a treasurer who shall give bond to the corporation, with securities, to the satisfaction of the directors, in a sum not less than twenty thousand dollars, for the faithful discharge of his trust.

SEC. 3. The president and directors for the time being,

Powers and
privileges.

To construct a
rail road.

Dimensions of
road.

Proviso.

Amount of cap-
ital stock.

Proviso.

Secretary to
take oath.
Treasurer to
give bond.

are hereby authorised and empowered, by themselves or their agents, to execute all powers herein granted to the company, and all such other powers and authority for the management of the affairs of said company, not heretofore granted, as may be proper and necessary to carry into effect the object of this act, and to make such equal assessments from time to time, on all shares of the company, as they may deem expedient and necessary, and direct the same to be paid to the treasurer of the company: *Provided*, That no assessment shall be laid upon any share in said company, of a greater amount in the whole, than fifty dollars on a share.

President and directors authorised.

Proviso.

SEC. 4. The said company shall have power to make, ordain and establish, all such by-laws, rules and regulations, and ordinances, as they may deem expedient and necessary to accomplish the designs and purposes, and to carry into effect the provisions of this act, and for the transfer and assignment of the stock, the payment of assessments, and the conveyance of property, and the well ordering, regulating, and securing of the interest and affairs of said company: *Provided*, The same shall not be repugnant to the constitution and laws of this state, or of the United States.

Power of company.

Proviso.

SEC. 5. A toll is hereby granted and established, for the sole benefit of said company, upon all passengers and property, of all descriptions which may be conveyed or transported on said road, at such rates per mile as may be agreed upon and established from time to time, by the directors of said company: *Provided however*, That if the nett income and receipts from tolls, from and after the completion of said road shall exceed twelve per cent. per annum, the legislature may take measures to reduce said rate of tolls, so as to take all the overplus. And said directors may lean on bond and mortgage or other security, any surplus funds of the company, which may be at any time unappropriated, at a rate of interest not exceeding twelve per cent. per annum.

Toll granted.

Proviso.

SEC. 6. The directors of said company for the time being, are hereby authorised to erect toll houses, buildings, establish gates, and demand toll upon the road when completed, and upon such points thereof, as shall from time to time be completed.

May erect toll houses.

SEC. 7. The said company shall be holden to pay all damages that may arise to any person or corporation by taking their land, stone, wood or gravel, for the use of said rail road, when the same cannot be had by voluntary agreement, to be estimated and recovered in the manner provided by law for the recovery of damages happening by the laying out of highways.

Damages.

SEC. 8. When the lands or other property or estate of any married woman, infant, or person *non compos mentis*, shall be necessary for the construction of said rail road, the husband of such married woman, and the guardian of such infant, or person *non compos mentis*, may release all damages in relation to the land, or other property to be taken and appropriated as aforesaid, as fully as they might do if the same were holden in their own rights respectively.

SEC. 9. If any person shall wilfully do or cause to be done, any act or acts whatsoever, whereby any building, construction, or work of the said company, or any engine, machine or structure, or any matter or thing appertaining to the same, shall be stopped, obstructed, impaired, weakened, injured or destroyed, the person so offending shall be deemed guilty of a misdemeanor, and shall forfeit and pay to said corporation, treble the amount of damages sustained by means of such offence and injury, to be recovered in the name of said corporation, with costs of suit by action of debt, and shall be subject to indictment and punishment for high crimes and misdemeanors as in other cases.

SEC. 10. The annual meeting of the members [of said] company, shall be holden on the first Monday in each year, at Pittsfield aforesaid, or at such other place as the directors for the time being may appoint, at which meeting the directors shall be chosen by ballot, each proprietor being entitled to as many votes as he holds shares; and any two persons named in this act, are hereby authorised to call the first meeting of the said company, by giving [notice] in the newspaper published at Jacksonville and Quincy, of the time and place and purpose of said meeting, at least ten days before the time mentioned in said notice.

SEC. 11. The said company shall commence the rail road hereby authorised to be made, within two years from the first day of August next, and complete the same within ten years, otherwise this act shall be null and void.

SEC. 12. The said corporation is hereby authorised to join any other rail road, now or hereafter to be incorporated and put in operation, at such place and upon such terms as may be mutually agreed upon by the said companies, or in case of disagreement by the said companies, upon such terms and at such places, as the court of chancery of the district where such connection is desired, shall decree, upon bill filed or suit instituted for that purpose.

SEC. 13. This act shall be deemed and taken as a public act, and as such shall be taken notice of by all courts of justice in this state, without the necessity of pleading the same.

Non compos
mentis, infants,
&c.

Forfeitures for
injury done
road.

Company, time
and place of
meeting.

When to com-
mence & com-
plete.

May join other
rail road.

Deemed a pub-
lic act.

This charter is granted for fifty years, and shall be in force from and after its passage.

APPROVED March 3, 1837.

AN ACT to incorporate the Spoon River Navigation Company.

In force March 3, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Luke Webster, Thomas W. Clark, Levi D. Ellis, Henry Gull, Pleasant H. Odle, Wm. Cozby, Charles Gardner, Richard Freeman, Joseph Webster, Stephen Rigdon, H. D. Evans, Cyrus Walker, James Ogdan, J. L. Sharp, William W. Bugby, L. H. Robertson, James M. Campbell, John Atkinson, their associates and successors are hereby constituted a body corporate and politic by the name and style of "The Spoon River Navigation Company;" and by that name they, their assigns and successors shall be capable in law and equity of contracting and being contracted with, suing and being sued, pleading and being impleaded, answering and being answered, defending and being defended, in all courts and pleas whatsoever, in all manner of suits, actions, complaints, matters, and causes whatsoever. They may have a common seal, and may change and alter the same at pleasure, and do and perform all other acts and things which may be necessary to carry into effect the true intent and meaning of this act: they are hereby invested with all the privileges and advantages usually belonging to corporations, in purchasing, taking, holding, enjoying, and transferring real and personal estate by gift, grant, purchase, or otherwise.

Constituted a body politic & corporate

Name & style

Power & privileges

SEC. 2. The capital stock of said company shall be one hundred thousand dollars with the privilege of increasing it to two hundred thousand dollars, to be divided into shares of one hundred dollars each. The persons, named in the first section of this act, are hereby constituted directors for the time being, and commissioners to open books of the said company, who shall, or a majority of them, as soon as may be after the passage of this act, meet (or of those who will act) and provide to open or cause to be opened as many books at as many places as they may deem expedient, for the subscription of stock, and when ten per cent. on the whole amount of stock shall have been subscribed, and ten dollars paid in on each share thus subscribed, said commissioners

Capital stock

Commissioners to open books of corporation.

Notice to be given shall give at least two weeks notice in some public newspaper printed in this State, to the stockholders, to meet at some suitable time and place for the purpose of electing a president and six directors for said company, which votes shall be given by ballot, and the person receiving the greatest number of votes for president, and the six persons receiving the greatest number of votes for directors shall be declared, respectively, duly elected president and directors.

President and directors to commence work

SEC. 3. Said president and directors, so elected, and their successors in office, shall proceed to commence the work, and shall have power to enter upon any land in or adjoining Spoon River; to take and use timber, stone, and other materials necessary for opening a canal round any fall in said river, or lowering and opening the channel of the same; and also to make dams, locks, and aqueducts, and such other work for the improvement of said navigation as they may deem necessary; and the directors of said company, for the use and benefit thereof, are hereby fully authorized to open a lock and canal navigation on said river from its confluence with the Illinois river to Fulton, with the privilege of extending said slack water navigation to Ellisville on said river.

To open a lock, &c.

County commissioners to fix rates of toll, subject to, &c.

SEC. 4. Whenever the said company shall have completed any one dam, lock, canal, aqueduct or other portion of the improvement of said navigation so as to admit of the safe and easy passage of boats and other crafts, it shall be the duty of the commissioners' court of the county of Fulton to fix and establish rates of toll, for the passage of such boats or crafts through such improvement, so far as completed, and so of the whole when finished; subject however to be raised, lowered and altered by the legislature upon application. Such rates of toll, when so established, shall be published in at least two newspapers, nearest said river. It shall and may be lawful for the collector or toll gatherer of said company to stop and retain all boats or crafts, intending to pass any such lock, &c. until the said rates of toll shall be paid. If any such boat or craft, after having passed any such lock, &c. shall afterwards refuse to pay the toll or rates aforesaid, the person having charge of such boats, &c. so refusing, shall forfeit and pay to said company double the amount of such toll or rates, to be recovered by action of debt or otherwise, before any justice of the peace, and the property of such boat and the loading of the same shall be liable to execution on any judgment so recovered, whether it belong to the person or not.

Passing lock without paying to forfeit, &c

SEC. 5. The president and directors shall constitute a board for the transaction and management of the con-

cerns of said company, and be competent for the trans-
 action of business, and shall and may from time to time
 make and prescribe such by-laws, rules, and regulations,
 touching the concerns of said corporation, the duties
 of the officers agents, clerks and all other persons by
 them employed; the mode of conducting future elections
 and every other matter relating to said corporation, and
 necessary to carry into effect any and every part of
 this act, with power to appoint a secretary who shall be
 sworn by a justice of the peace to the faithful discharge
 of the duties of his office, who shall record all votes of
 the corporation in a book to be kept for that purpose;
 and also a treasurer, who shall give bond in such amount
 and in such manner as the board shall prescribe; and
 such other officers, agents, clerks, and hands as may be
 necessary for carrying on the business of said corpora-
 tion, with such salaries and allowances as the said board
 shall deem proper, and to dismiss such persons and sub-
 stitute others at pleasure in their stead: *Provided*, That such
 by-laws, rules, and regulations shall not be repugnant to
 the constitution and laws of the United States and of
 this State.

President and
 directors to ma-
 nage concerns
 of company

Officers to be
 sworn

Treasurer to
 give bond.

SEC. 6. The company shall at all times keep or cause
 to be kept proper books of accounts in which shall be re-
 gistered all the transactions of the corporation, and the
 same shall at all times be subject to the inspection of
 the stockholders; and it shall be the duty of the board
 to make annual dividends of so much of the profits of the
 said company, as to them or a majority of them, shall
 appear advisable, and if thereunto required by a majority
 of the votes of the stockholders, they shall from time to
 time exhibit or cause to be exhibited to them at a general
 meeting, for their information, a full and perfect state-
 ment of the debts and credits and such other matters as
 to them may be deemed essential, relating to the affairs
 of the company, copies of which reports shall be furnished
 by the secretary, to the order of any stockholder when
 thereunto required.

Company to
 keep books

Statement of
 debts and cre-
 dits to be made
 out

SEC. 7. This act shall continue and be in force for
 fifty years from and after its passage, and the said com-
 pany shall be entitled to all the privileges granted by
 this act, until the expiration of that time: *Provided*,
however, That the legislature may at any time after ten
 years dissolve said corporation by paying to said com-
 pany the amount of the capital which they may actually
 have expended, together with ten per cent. interest per
 annum thereon.

Corporation to
 be in force 50
 years

Proviso

SEC. 8. Said board shall commence the work within
 two years, and complete the same within ten years, from

When to be
 commenced &
 completed

and after the passage of this act, otherwise said charter shall be forfeited.

Company to
pay damages

SEC. 9. The said company shall be holden to pay all damages that may arise to any person or persons, by taking their land, stone, or gravel, or any material for the construction and maintenance of said canal or slack water navigation, locks, or dams, when the same cannot be obtained by voluntary agreement, to be estimated and recovered [in the manner laid down for the recovery of] damages caused by the laying public high-ways.

Guardian may
release damages

SEC. 10. When the lands, or other property or estate of any married woman, infants or persons non compos mentis, shall be necessary for the construction of said works, the husband of such married woman, and guardian of such infant or person non compos mentis may release all damages in relation to the lands or estate to be taken and appropriated as aforesaid, as fully as they might do if the same were holden in their right respectively.

APPROVED, 3d March, 1837.

In force March
3, 1837

AN ACT to incorporate the Jonesboro' and Mississippi Rail Road Company.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Benjamin W. Brooks, James L. Hodges, Willis Willard, James Reed, Sidney S. Candan, Winstead Davie, John S. Hacker, John Russel, Michael Craver, Elijah Willard, Samuel Reed, Jefferson McKinney, Augustus Rixleben, Robert Hargrave, David Arendall, John Dougherty, Caleb Frick and William C. Whitlock, and such other persons as may associate with them for that purpose, be, and they are hereby constituted a body politic and corporate, by the name of the "Jonesboro' and Mississippi Rail Road Company," for the purpose of constructing a rail-road from Hamburg on the Mississippi river in Union county, to Jonesboro', and from thence, if they shall deem it proper, to some suitable point on the Central Rail Road; to take, transport, and carry, property and persons, upon the same, by the power and force of steam, animals, or of any mechanical or other power, or by a combination of them, which the said corporation may choose to employ; and by that name they and their successors shall be, and are hereby vested with the right and privilege, of constructing and using the said road, for the purpose aforesaid, from and

Body politic &
corporate cre-
ated

Rights & pri-
vileges

to the points comprised in the limits beforementioned; and may have succession, and shall be persons in law; may sue and be sued, contract and be contracted with, plead and be pleaded, in all courts of law and equity, and in all manner of actions; and they and their successors may have and use a common seal, and may change and alter the same at pleasure.

SEC. 2. That if the said corporation hereby created does not commence the said rail road within five years; and finish the same within twenty years from the passage of this act, then the said corporation shall thenceforth forever cease, and this act be null and void.

When to commence and complete rail road

SEC. 3. The capital stock of said company shall be fifty thousand dollars, with liberty to increase the same, from time to time, by new subscriptions, in such manner and form as they shall think proper, to any amount not exceeding one hundred thousand dollars, for the purpose of fulfilling the intent of this act; which said capital stock shall be distributed into shares of one hundred dollars each; which shall be deemed personal property, and transferrable in such manner as the said corporation shall by law direct.

Capital stock

SEC. 4. That Benjamin W. Brooks, James L. Hodges, Willis Willard, James Reed, Sidney S. Candan, Winstead Davie, John S. Hacker, John Russel, Michael Craver, Elijah Willard, Jefferson McKinney, Augustus Rixleben, Robert Hargrave, David Arendall, John Dougherty, Caleb Frick and William C. Whitlock, shall be commissioners, the duty of whom, or a majority of them, it shall be, at some suitable place in New Orleans, Philadelphia and New York, and in the towns of Jonesboro', Shawneetown, Springfield, Alton, Brownsville and in Frankfort, in the State of Illinois, or at such of said places as the said commissioners may deem necessary, to open books to receive subscriptions to the capital stock of said corporation, and to do such other things as in their opinion is best calculated to get the said stock taken up. Sixty days notice shall be given by said commissioners, of the time and place of opening said books, in one of the public newspapers in or near each of the said places. The commissioners shall receive no subscriptions unless one dollar on each share subscribed, be paid at the time of subscribing; and as soon as the capital stock shall be subscribed, to give a like notice for a meeting of the stockholders, to choose five directors; and such election shall be made, at the time and place appointed, by such of the stockholders as shall attend for that purpose, either in person or by lawful proxy, each share of the capital stock entitling each stockholder to one vote; and the said commissioners

Commissioners

To open books to receive stock

Stockholders to meet to choose directors

shall be inspectors of the first election of directors of said corporation, and shall certify under their hands the names of those duly elected, and deliver over the subscription books to the said directors. And the time and place of holding the first meeting of the directors shall be fixed by the said commissioners; and the directors to be chosen at such meeting, or at such annual election, shall, as soon as may be after every election, choose out of their number one president, and one other person to be vice president; and in case of the death, resignation, or removal, of the president, vice president, or of any director, such vacancy or vacancies may be filled for the remainder of the year; whenever they may happen, by the directors; and in case of the absence of the president and vice president, the board of directors shall have power to appoint a president *pro tempore*, who shall have and exercise such powers and functions, as the by-laws of the said corporation may provide.

Directors to choose a president and vice president

To fill vacancies

Subscriptions to be paid or forfeit

Notice to be given

Corporation not to be dissolved by neglect to elect

SEC. 5. It shall be lawful for the directors to require payment of the sums subscribed to the capital stock, at such times, and in such proportions, and on such conditions, as they shall deem fit, under the penalty of the forfeiture of all previous payments thereon; and shall give notice of the payments thus required, and of the place and time, where and when, the same are to be paid, at least ninety days previous to the payment of the same, in some public newspaper of this State, and in the several cities where the books of the company may have been opened for subscription to the capital stock.

SEC. 6. That in case it should at any time happen that an election of directors shall not be made, on any day on which, in pursuance of this act it ought to be made, the said corporation shall not for that cause be dissolved, but such election may be held at any other time directed by the by-laws of said corporation.

Power to enact laws, &c.

To appoint secretary, clerks, etc.

Allowances

SEC. 7. That a majority of the directors of the said corporation shall form a board, and shall be competent to transact all the business of the corporation, and they shall have full power to make and prescribe such by-laws, rules and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property and effects, of said corporation, the transfer of shares, and touching the duties and conduct of their officers and servants, and the electing of directors, and all other matters whatever, which may appertain to the concerns of the said corporation; and also shall have power to appoint a secretary, and as many clerks and servants, as to them shall seem proper; and to establish and fix such salaries and allowances to them, and also to the president and vice president, as to the board may appear proper.

SEC. 8. That the said corporation be, and they are hereby

authorized, by their agents, surveyors, and engineers, to cause such examinations and surveys to be made, of the ground lying within the aforesaid limits, prescribed by the first section of this act, as shall be necessary to determine the most advantageous route for the proper line or course, whereon to construct their said road; and it shall be lawful for the said corporation to enter upon and take possession of, and use, all such real estate as may be indispensable for the construction and maintainance of their said road, and the accommodations requisite and appertaining to them; and may also hold and take all such voluntary grants and donations of land, and real estate, as shall be made to the said corporation, to aid in the construction, maintainance and accommodation of their said road; *Provided*, That all lands and real estate thus entered and taken possession of, and used, by said corporation, and which are not donations, shall be purchased by said corporation, of the owners of the same, at a price mutually agreed upon between them; and in case of disagreement as to the price, it shall be the duty of the Governor of this State, upon a notice given him by said corporation, to appoint three commissioners, who shall be persons not interested in the matter to be determined by them, to determine the damages which the owner or owners of the land or real estate, so entered upon by the said corporation, has or have sustained by the occupation of the same; and upon the payment of such damages, together with the costs and damages attending the appraisement, by the said corporation, the commissioners being allowed three dollars per day while thus employed, or upon the said corporation depositing in the treasury of the county in which the land lies, the amount of said damages, together with the costs and charges aforesaid, to the credit of the person or persons to whom the commissioners may have awarded them, the said county treasurer shall give notice to such person or persons by letter, of such deposit being made by the said corporation, then the said corporation shall be deemed to be seized and possessed of the fee simple of all such lands or real estate, as shall have been appraised by the said commissioners; and it shall be the duty of said commissioners, or a majority of them, to deliver to the said corporation a written statement of the award or awards they shall make, with a description of the land or real estate appraised, to be recorded by the said corporation, in the clerk's office of the county in which the land or real estate may lie; that in case any owner or owners of land or real estate so appraised, shall be *femes covert*, under age, *non compos mentis*, or out of this State, then, and in that case, the said corporation shall pay the amount which shall have been

To cause examinations to be made

To take possession real estate

Proviso

Governor to appoint commissioners to determine damages

On payment of damages may, etc.

Pay of appraisers

Deposit amount of damages in treasury

Treasurer to give notice

Description of land to be given and recorded

Corporation to pay, &c.

awarded, as due to the last mentioned owners, respectively, wherever the same shall be lawfully demanded, together with interest at the rate of six per cent. per annum.

To make road,
collect tolls,
erect buildings

SEC. 9. That the said corporation be, and they are hereby authorized to construct and use a road, of suitable width and dimensions, to be determined by the said corporation, within the limits prescribed within the first section of this act; and shall have power to regulate the time and manner in which goods and passengers shall be transported, taken and carried on the same, as well as the manner in which they shall collect all tolls and dues, on account of transportation and carriage; and shall have power to erect and maintain toll-houses, and other buildings for the accommodation of their concerns, as they may deem suitable to their interests, and to collect tolls as soon as any part thereof shall be finished.

To construct a
single or double
track

SEC. 10. The president and directors of said company, if it shall be so decided by a full majority of all the stockholders therein voting, as hereinbefore provided, shall cause to be constructed, a double or single rail road or way, along the same route, as they may think proper, which shall be subject to the same rules and regulations as herein provided.

To construct
road across
highways

SEC. 11. That whenever it shall be necessary for the construction of the said rail road, to intersect any stream of water, or watercourse, or any road or highway, between the places mentioned in the second section of this act, it shall be lawful for the corporation to construct said rail road or trackway, across or upon the same; but the corporation shall restore the stream or water course, or road or highway, thus intersected, to its former state, sufficiently so as not to obstruct its navigation or usefulness in any respect whatever.

Persons injur-
ing road to pay
a forfeit

SEC. 12. That if any person or persons shall wilfully do or cause to be done, any act or acts whatever, whereby any building, construction, or work, of the said corporation, or any engine, machine, or structure, or any matter or thing appertaining to the same, shall be stopped, obstructed, impaired, weakened, injured or destroyed, the person or persons so offending shall forfeit and pay to the said corporation double the amount of the damages sustained by means of such offence or injury, to be recovered in the name of said corporation, with cost of suit, by action of debt, to be brought before any court of record in this State, or before any justice of the peace in the counties where such injuries may have accrued; and the person or persons so offending shall be deemed guilty of a misdemeanor, and liable to fine and imprisonment for a term not exceeding one month.

Liable to fine
and imprison-
ment
Act a public
act

SEC. 13. This act shall be deemed a public act, and

shall be favorably construed for the purposes herein expressed and declared in all courts and places whatever.

APPROVED 3d March, 1837.

AN ACT to incorporate the Grafton and White Hall Hotel Companies. In force 3d
March, 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Rescarick Ayres, Henry M. Blanchard, Chester Swallow, Daniel Henderson, and William Colton, of the county of Greene, are hereby created a body politic and corporate, under the name of the "White Hall Hotel Company;" and by that name may sue and be sued, plead and be impleaded, and shall have perpetual succession for the term of thirty years, and no longer.

Body politic & corporate created.
Name & style
Perpetual succession

SEC. 2. Said corporation shall have power to erect a building for a hotel in the town of White Hall, in the county of Greene and State of Illinois, and for that purpose may make all contracts, and own and occupy all land and other property necessary to effect said object, and no more. Said corporation may divide the stock of said company into as many shares as to said corporators may seem best; and said stock may be increased to a sum sufficiently large to put up and furnish said hotel, and no more. Said corporation may appoint all officers and agents of said corporation necessary to effect said object, and may make all by-laws proper and necessary to the same; and said corporation, at the final dissolution thereof, or at any other time, may sell and by their agents properly appointed convey said land and building, and all other property belonging to said company.

To erect building for hotel
May make contracts
Land held
May appoint all officers
To make by-laws
By agents appointed, convey property

SEC. 3. La Fayette McCritters, John Keys, F. Z. Hicks, Paris Mason, and Rescarick Ayres are hereby created a body politic and corporate, under the name, firm, and style of "*The Grafton Hotel Company,*" with powers to erect a building at the town of Grafton in Greene county, to be furnished and used as a hotel; and said corporation shall have the same power, and continue the same time, as is provided in the foregoing section for the White Hall Hotel Company: *Provided,* That neither of said companies shall ever issue any notes or other checks, to be used as a circulating medium, or have any banking privileges whatever.

Names
Name and style
Powers
Time of continuance
Proviso.
Shall have no banking powers

APPROVED 3d March, 1837.

In force 3d
March, 1837.

AN ACT to incorporate the Beardstown Insurance Company.

Name of company	<p>SEC. 1. <i>Be it enacted by the people of the State of Illinois, represented in the General Assembly,</i> That there shall be established in the town of Beardstown an insurance company, to be called the "Beardstown Marine and Fire Insurance Company."</p>
Who may be stockholders	<p>SEC. 2. All such persons as shall hereafter be stockholders of said company shall be and they are hereby declared to be a body corporate and politic, by the name and style of the "Beardstown Marine and Fire Insurance Company," and to continue for and during the term of thirty years from and after the passage of this act; and by that name and style shall be competent to contract and be contracted with, and be capable in law and equity to sue and be sued, to plead and be impleaded, answer and be answered unto, defend and be defended in all courts and places, and in all matters whatsoever.</p>
To continue 3 years	<p>SEC. 3. The said corporation may have and use a common seal, which they may alter, change, or break at pleasure; and may, also, make and establish, and put in execution such by-laws, ordinances, and regulations as shall in their opinion be necessary for the good government of said corporation, and the prudent and efficient management of its affairs. No by-laws, ordinances, and regulations of the same shall be in any wise contrary to the constitution and laws of this State, or of the United States.</p>
May contract May sue and be sued	<p>SEC. 4. The capital stock of said company shall be one hundred thousand dollars, to be divided into shares of fifty dollars each, to be paid in such instalments as the directors chosen under this act may from time to time direct, under such penalties as the president and directors may in their discretion appoint and order. The said capital stock may hereafter be increased to the amount of five hundred thousand dollars, in the discretion of a majority of the directors of said incorporation, to be subscribed for and taken under the direction of the president and directors aforesaid, or a majority of said directors, by any person whomsoever in the same manner as is provided for the subscription of the original capital stock. The stock of said corporation shall be assignable and transferrable, according to such rules as shall be adopted in that behalf by the by-laws and ordinances thereof.</p>
May have a seal	<p>SEC. 5. The corporation hereby created shall have power and authority to make marine insurance upon vessels, goods and merchandize, freight, monies, bottomry, respondentia interest, and on all marine risks, and inland</p>
By laws	
No by laws to be inconsistent with the laws of state	
Capital stock \$100,000	
Can be in- creased to \$500,000	
Stock trans- ferrable	
Powers.	

navigation and transportation; and against losses by fire of any buildings or houses whatsoever, and vessels on the stock, and also to receive monies on deposite, and to loan the same on bottomry, respondentia or otherwise, at such rates of interest as may now or hereafter be done by the existing laws of this State; and they may also cause themselves to be insured against any maritime risks upon which they have made insurance, and upon the interest which they may have in any vessel, goods or merchandize, or houses, in virtue of any such loans, whether on bottomry and respondentia, or otherwise, on such terms and conditions as may be agreed upon by the parties, and to fix the premiums and terms of payment.

May be insured

SEC. 6. All policies of insurances by them made shall be subscribed by the president, or in case of his death or absence, by the vice president, and countersigned and sealed by the secretary of said company; and all losses, arising under any policy so subscribed and sealed, may be adjusted and settled by the president and board of directors.

Duty of president and secretary

SEC. 7. The said corporation shall not take any risk, nor subscribe any policy by virtue of this act, until the sum of ten thousand dollars of said capital stock thereof shall have been actually paid in.

Amount of stock to be subscribed to allow corporation to take any risk

SEC. 8. Said company shall not directly or indirectly deal or trade in buying or selling any goods, wares, or merchandize whatever; but the president and directors may, at their option, vest the capital stock of said corporation in the capital stock of any incorporated bank or trust company, or public funds of the United States, on any State in the Union. They shall have power also to loan to any citizen of this State any portion of their capital stock, not exceeding ten thousand dollars, to one individual on bottomry, bond, mortgage of real estate, or other satisfactory security at their discretion, and also to purchase and sell bills of exchange.

Capital stock may be vested

May loan not exceeding \$10,000

SEC. 9. The said corporation may purchase and hold such real estate as may be deemed necessary for the transaction of its business, and to an amount at any time not exceeding ten thousand dollars, and to take and hold any real estate as securities, mortgaged, or pledged to the said corporation, to secure the payment of any debt due, or that may become due to it, and also to purchase any sales made by virtue of any judgment at law, or any decree of a court of equity; or authorize to take and receive any real estate in payment or towards satisfaction of any debts previously contracted or due to said corporation, and to hold the same until they can conveniently

May hold real estate

and advantageously sell and convert the same into money or other personal property, and to sell and convey said real estate or any part thereof.

Commissioners appointed **Sec. 10.** John S. Wilbourn, Nathaniel B. Thompson, S. H. Wilkey, Isaac C. Spence, Thomas Graham, William Bassett, and B. W. Snider are hereby appointed commissioners for superintending subscriptions to said capital stock; and the said commissioners, or a majority of them, shall open one or more subscription books for said stock on the first Monday of May, in the year of our Lord one thousand eight hundred and thirty-seven, in the town of Beardstown; and the sum of five dollars, on each share subscribed for, shall be paid to said commissioners at the time of making such subscriptions. The books may be closed when the whole of said stock shall be subscribed, and whenever the board of directors shall be duly elected, the said commissioners shall deliver over to the said board of directors the whole amount of money by them respectively or jointly received, except so much as shall be retained for the expenses incurred by them in executing the duties imposed on them by this act: *Provided, however,* That if the books for the subscription of stock shall not be opened at the time herein required, the said commissioners may open the books at any time thereafter, upon their giving twenty days previous notice in some newspaper printed in the town of Jacksonville, in the county of Morgan, of the time and place of opening the same.

Subscriptions to capital stock

Time of opening books

\$5 to be paid at time of subscribing

Proviso.

Notice

In case of death, or **Sec. 11.** In case of the death, resignation, or absence of any of the commissioners named in this act of incorporation, it shall and may be lawful for any three of them to form a quorum, and proceed to business, whose duties shall be the same in the premises as those prescribed to the whole of said commissioners by this act of incorporation named, and their acts, as such, shall be legal.

How conducted **Sec. 12.** The stock, property, and concerns of said incorporation shall be managed and conducted by nine directors, who shall hold their offices for the term of one year, and until others shall be chosen, and no longer, and shall at the time of their election be a citizen of this state, and holders respectively of not less than ten shares of the capital stock of said company.

First election, how and where held **Sec. 13.** The first election of the directors, under this act, shall be held at such time and place in the town of Beardstown as shall be directed by the said commissioners, a majority of them, who, or a majority thereof, are hereby appointed inspectors of said election, and persons thus elected as directors shall hold their offices;

Inspectors of election

until the first Monday of June, in the year of our Lord one thousand eight hundred and thirty-eight, and until others are elected in their stead.

SEC. 14. The directors, for every subsequent year, shall be elected on the first Monday of June, in each year, at such time of the day and at such place within the town of Beardstown, and under the direction of such person as a majority of directors for the time being shall appoint by a resolution to be entered on their minutes.

SEC. 15. All elections shall be by ballot, allowing one vote to each share of the capital stock, and the nine persons who shall have the greatest number of votes, shall be directors, and if at any election two or more persons shall have an equal number of votes, so as to leave their election undecided, the directors, who have been duly [elected,] shall by ballot and by plurality determine which of said persons so having an equal number of votes shall be director or directors, so as to complete the whole number, and whenever any vacancy shall happen for the office of president, vice president, or directors, from death, or other causes, such vacancy shall be filled for the remainder of the year in which it shall happen by the directors for the time being, or a majority of them. The said commissioners shall certify under their hands and seal the persons elected, and deliver such certificate to the persons elected, or to some one of them, and if through any unavoidable accident said directors should not be chosen on the first Monday as aforesaid, it shall be lawful to choose them on any other day in the manner herein provided.

SEC. 16. The directors, when chosen, shall meet as soon as may be after any election, and shall choose out of their number a president, who shall be sworn or affirmed faithfully to discharge the duties of said office, and shall preside for the term of one year, and until another person shall be chosen in his stead, and also a vice president for the same term. They shall have power to appoint a secretary and all subordinate officers of said corporation, fix their compensations, define their powers, and prescribe their duties, who shall give such bond and in such penal sums, with such conditions, and with such securities, as the directors shall prescribe, and hold their several offices during the pleasure of a majority of said directors.

SEC. 17. The president and vice president, and four of the directors shall be a board competent to the transaction of business, and all questions shall be decided by a majority of votes.

Shall publish
amount of stock
annually

SEC. 18. The president and directors of said company shall, previous to subscribing any policy, and once in every year after, publish in two of the newspapers printed in this state the amount of capital stock, against what risks they mean to insure, and the largest sum they mean to tax on any risk.

Expenses, how
paid

SEC. 19. The expenses, incurred by the commissioners in executing any duty required by this act, shall be paid out of the money received by them from the subscribers out of the capital stock, and may be retained by them for such purposes.

Duty of direct-
ors

Shall make div-
idend

SEC. 20. It shall be the duty of the directors of said company, at such times as the by-laws thereof shall prescribe, to make dividend of so much of their interest, arising from the capital stock and the profits of said company, as to them shall appear advisable; but the money received and notes taken for premiums or risks, which shall be undetermined and outstanding at the time of making such dividends, shall not be considered as a part of the profits of said company; and in case of any loss or losses whereby the capital stock of said company be lessened before all the instalments are paid in, proprietors' or stockholders' estates shall be held accountable for the instalments that may remain unpaid on his share or shares at the time of such loss or losses taking place; and no subsequent dividends shall be made, until the sum, arising from the profits of the business of the said company, equal to such diminution, shall have been added to the capital stock. And once in every three years, and oftener, if required by a majority of the votes of the stockholders, the directors shall lay before the stockholders, at a general meeting, an exact and particular statement of the profits, if any there shall be, after deducting losses and dividends.

In case of
losses

Statements to
be made

Declared a
public act

SEC. 21. This act is hereby declared to be a public act, and shall take effect from and after its passage, and shall be liberally construed for every purpose herein contained.

Charter

SEC. 22. This charter shall be void and of no effect; unless the stock shall be subscribed, and the company shall commence operations agreeably to the provisions thereof within two years after the passage of this act.

Banking pow-
ers not granted

SEC. 23. Nothing in this act contained shall confer on said corporation banking powers, or authorize it to issue notes in the similitude of bank notes, to be issued as a circulating medium in lieu of money.

SEC. 24. That in case of any loss or losses taking place, which shall be equal to the amount of the capital

stock of said company, and the president and directors, after knowing of such loss or losses having taken place, shall subscribe to any policy of insurance: their estates, jointly and severally, shall be accountable for any and every loss which shall take place under policies so subscribed; and the estates of stockholders, as aforesaid, shall be liable for every loss equal to the amount of said capital stock subscribed, and not actually paid, in all cases of losses exceeding the means of said company, whether they consist of stock paid in or profits not divided.

APPROVED 3d March, 1837.

AN ACT to incorporate the Galena Rail Road and Transportation Company. In force March
3d, 1837

SEC. I. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That R. B. Brush, John Turney, Horatio Newhall, D. B. Morehouse, G. W. Fuller, John Dowling, M. C. Comstock, J. W. Stephenson, N. T. Head, Henry Corwith, H. H. Gear, G. W. Campbell, Daniel Wann, Moses Hallet, W. C. Bostwick, and T. B. Farnsworth, and their associates, successors, and assigns, are hereby created a body politic and corporate, under the name and style of the "The Galena Rail Road and Transportation Company," for the term of fifty years from the passage of this act, and by and under that name and style, during said term, shall be and are hereby declared competent to contract and be contracted with, and capable in law and equity to sue and be sued, to plead and be impleaded, to answer and be answered unto, to defend and be defended in all courts, places, and matters whatever; to make, have, and use a common seal, and the same to alter, change, break, and renew at pleasure; and also to make, establish, and put in execution such by-laws, ordinances, and regulations as shall, in their opinion, be necessary and convenient for the government of the corporation hereby created, and the prudent and efficient management of its affairs, and not in any wise contravening the laws of this state or of the United States; and generally to do all and singular the acts, matters and things that a corporation may rightfully do in the premises; and the said corporation shall have the right and are hereby empowered and authorised to construct or cause to be constructed, and during the continuance of this charter, to maintain and continue a rail road or rail roads with a single or double track, or

Body created;
name and style

Can contract;
sue and be sued

Can have a
seal; may
break same

Can make by-
laws

Powers granted

Single or dou-
ble track

otherwise, and with such appendages as may be deemed necessary or convenient, from the town of Galena, in the county of Jo Daviess, to such point or points on the northern boundary line of this state as shall, upon survey or surveys to be made, be deemed eligible and convenient.

POWERS OF
Can hold lands
Width of road
Proviso
Shall pay damages
Guardian may release damages

SEC. 2. And the president and directors hereinafter provided for, are hereby authorised and empowered to exercise all the powers and authority herein granted for the purpose of locating, constructing, completing, maintaining and using said rail road or rail roads. The said corporation may purchase and hold lands and materials for, and lay out the said road or roads, six rods wide throughout, and for cutting, embankments, procuring stone, gravel, constructing bridges, viaducts, and tunnels, and erecting the necessary buildings and appurtenances, may take as much more land as may be necessary for the proper construction and completion of said rail road or rail roads, and the permanent security of the same: *Provided, always,* That the said corporation shall be holden liable to pay all damages that may or shall arise to any person, copartnership, or corporation by reason of taking or using their lands, stone, gravel, or other property, for the use of said road or roads. When the said land, stone, gravel, or other property cannot be had and obtained by voluntary agreement, said damages to be estimated and recovered in the manner provided by law for the recovery of damages happening by the laying out of highways. And whenever lands to be taken, as above provided, shall belong to any married woman, infant, *non compos mentis*, or other person under guardianship, then the husband or guardian, as the case may be, may release all damages in relation to the property so to be taken and appropriated as fully as they might do if it were holden in their own right respectively.

Rail road may cross rivers, turnpikes, shall not obstruct
Damage may be recovered

SEC. 3. Said corporation shall construct their said rail road or roads across rivers, canals, water courses, turnpikes, and other public ways in such manner as not to obstruct, hinder, or interfere with the passage, navigation and free use of the same; and if said road or roads be not so constructed the said corporation shall be liable to all parties aggrieved or injured thereby, in treble damages to be recovered in an action at law in any court having jurisdiction thereof.

If locomotives are employed signs shall be erected

SEC. 4. Whenever said corporation shall employ locomotives propelled by the power of steam, they shall, in all places wherever their said road or roads shall or may cross any public way or road, erect or cause to be erected over and across said public way or road a sign or signs having fairly painted thereon in Roman letters, each letter to be not less than one foot in height; the letters to be black,

painted upon a white ground the following words, "Rail Road Crossing, look out for the engine while the bell rings." Said signs to be so placed that they may be conveniently seen and read by persons passing on said public way way or road and approaching said place of crossing in either direction. And the said corporation shall place upon each and every locomotive engine used or employed on said rail road or rail roads a bell weighing not less than seventy-five pounds, and cause the same to be rung whenever said locomotive engine shall come within half of a mile of said places of crossing and until the same be passed; and for each and every time that any locomotive engine, belonging to said corporation, and moved by the force of steam shall cross any public way or road, the sign or signs above mentioned, not being erected as aforesaid, except the same shall have been pulled down or destroyed, without such pulling down or destruction becoming known to the company or its officers, the said corporation shall forfeit the sum of five hundred dollars, for the use of the county, and be further liable to all parties aggrieved or injured thereby, in treble damages, to be recovered in an action at law, in any court having competent jurisdiction: and for every time any locomotive engine as aforesaid, shall cross any public way without the bell being rung in the manner above prescribed, the said corporation shall forfeit the sum of one hundred dollars to the use of the county, and be liable to parties aggrieved in treble damages, to be recovered as above provided.

Notice to persons on the road

75 lbs. bell
Bell to be rung within half mile of crossing

Forfeit

Further forfeit

SEC. 5. If any person or persons shall, wantonly, wilfully, or maliciously, and contrary to law, obstruct the passage of any car or cars on said rail road or rail roads, or any part thereof, or shall break, alter, or remove any part of the track or tracks of said rail road or rail roads, or cause or procure the passage of said cars to be constructed, [obstructed,] or any part of said track or tracks to be altered, broken, or removed as aforesaid, he, she, or they with all and every their aiders and abettors shall severally forfeit to said corporation treble the amount of any damage or damages occasioned thereby, to be recovered by action at law, in any court having competent jurisdiction: and whether damage shall be occasioned or not by said obstruction, breaking, altering or removing, all persons so offending, with their aiders and abettors shall be liable to indictment in the usual manner, and upon conviction, to pay a fine not less than five hundred dollars, nor more than ten thousand dollars, for the use of the county, and be imprisoned for a term not less than one year, nor more than five years, either or both, at the discretion of the court before whom said conviction may be had. And if any per-

Persons obstructing; shall forfeit

Manner of recovery

Liable to indictment

Fine

May be imprisoned

son shall, wantonly, wilfully, and maliciously pull down, injure, or deface any sign or signs or other appurtenances of said rail road or rail roads, or cause or procure the same to be done, every such person so offending shall forfeit to the said corporation treble damages, and liable to indictment as aforesaid, and upon conviction be liable to pay a fine of not more than one thousand dollars, for the use of the county, and be imprisoned not more than one year, either or both, at the discretion of the court before whom conviction may be had.

Fine not more than \$1000

Capital stock of \$500,000

Amount to be paid at time of subscribing

Thirty days notice of call

Stock may be increased to not more than \$1,000,000

Commissioners appointed

Books of subscription to be opened
Proviso

Subscriptions how made

When stock is subscribed

Commissioners shall deliver over books and all moneys

Commissioners may retain expense money

SEC. 6. The capital stock of said corporation shall be five hundred thousand dollars, to be divided into shares of one hundred dollars each, to be paid in the manner following; that is to say, two dollars and fifty cents at the time of subscribing; five dollars in thirty days thereafter, and the residue in such manner as the directors hereinafter provided for, shall require. But the said president and directors shall give at least thirty days public notice of every such call or requisition, in one or more newspapers published in or near all places where said stock shall be subscribed for and taken, as hereinafter provided.

SEC. 7. The said capital stock may be hereafter, from time to time and in such manner as the directors may deem expedient and necessary, increased to an amount not exceeding one million of dollars.

SEC. 8. George Ferguson, Samuel T. Cluff, Jacob Wyeth, F. Stahl, James Evans, John Stark, and John Reed, are hereby appointed commissioners to superintend the subscriptions to the said stock. And the said commissioners, or a majority of them, shall open or cause to be opened one or more subscription books for said stock, on the first Monday in June, in the year of our Lord one thousand eight hundred and thirty-seven, in the town of Galena: *Provided, however,* That if the said books be not opened at the time herein designated, they may be opened at any time within ten months thereafter, upon giving twenty days notice in all the papers published in Galena. All subscriptions shall be made in the manner prescribed in section six of this act. And the said books may be closed whenever the whole of said stock shall be subscribed for and taken. And whenever a board of directors shall be duly elected, the said commissioners shall deliver over to the said board of directors the said books, and shall pay over to said board the whole amount of money by them respectively or jointly received, except such sum or sums as may be necessary to defray expenses incurred by said commissioners in executing the duties imposed on them by this act; and which sum or sums the said commissioners are hereby authorized to retain for the purpose of defraying such expenses. In case of the death, disquali-

fication, resignation or refusal to act of any of the commissioners in this act named, it shall and may be lawful for any three of them to constitute a quorum and proceed to business, whose powers and duties shall be the same in the premises as those prescribed to the whole of said commissioners, and their acts as such shall be legal.

Three may constitute a quorum

SEC. 9. The stock, property, and concerns of the said corporation shall be under the control and management of nine directors, who shall hold their offices for one year and until others be chosen in their places, and no longer; and shall, at the time of their election be citizens of the county of Jo Daviess and holders respectively of not less than five shares of the capital stock of said corporation, and they shall be elected in the manner hereinafter prescribed.

Stock &c. under control of 9 directors

SEC. 10. The first election of directors under this act shall be holden at such time and place in the town of Galena as shall be directed by said commissioners, or a majority of them, who, or a majority thereof, are hereby appointed inspectors of said first election, and the persons thus elected shall hold their offices until the first Tuesday of May 1838, and until others are elected in their places.

First election Time & place of directed by commissioners

SEC. 11. The directors for every subsequent year shall be elected on the first Tuesday of May in each and every year, and at such time of the day, and at such place within the town of Galena, and under the direction of such persons as inspectors, as a majority of the directors for the time being shall appoint, by a resolution to be entered on their minutes.

Term of office Subsequent elections

SEC. 12. All elections shall be ballot and the number of votes to which stockholders shall be entitled in voting for directors shall be in the proportion following, that is to say, for every five shares under fifty, one vote, for every three shares over fifty, one vote. No person, copartnership, or corporation to have more than fifty votes. In all elections of directors the votes may be given in person or by proxy, authenticated in such manner as the by-laws of said corporation shall or may prescribe. But no person, co-partnership, or corporation shall vote by proxy more than fifty votes: and after the first election no person, co-partnership, or corporation shall be allowed to vote by virtue of any share or shares in said stock unless the same shall have been standing in the name of such person, co-partnership, or corporation, in the books of the corporation hereby created, for at least three months previous to such election.

Elections shall be by ballot

No person or corporation to have more than fifty votes.

Can vote in person or by proxy

SEC. 13. And the nine persons who shall so receive the greatest number of votes shall be directors, and if, at any election, two or more persons shall have an equal number

Election

If election is undecided, how to proceed

of votes so as to leave their election undecided, then the directors who shall have been duly elected shall proceed to ballot, and by a plurality determine which of said persons so having an equal number of votes shall be director or directors so as to complete the whole number.

Duty of inspectors to notify persons elected

SEC. 15. And, whenever any election of directors shall have taken place, it shall be the duty of the commissioners or inspectors as the case may be, immediately to notify or cause to be notified, by certificate under their hands and seals, each and ever person so elected, of their said election, and if the stockholders shall, through unavoidable accident, omit to elect directors on the day herein provided, then it shall be lawful to elect them on any subsequent day in the manner as above provided.

Election lawful at other times

SEC. 15. The directors, when duly elected shall meet as soon as may be, after every election, and out of their own body choose a president and vice president, who shall hold said offices respectively, for one year, and until others are elected in their places, and be sworn to the faithful discharge of their duties. The vice president shall, in the absence of the president vote and act as president, at other times he shall vote and act as director: and whenever any vacancy shall occur by reason of death, resignation, disqualification, refusal to act, or from any other cause, of the president, vice president, or any director or directors, such vacancy shall be filled for the remainder of the year in which it shall happen by the directors for the time being, or a majority of them.

President and vice president to hold their offices 1 year

In case of vacancy, how filled

SEC. 16. The president, or in his absence, the vice president, and three directors shall be a board competent to do business, and all questions shall be decided by a majority of votes. And the said board shall have power to appoint a secretary and other subordinate officers of said corporation, define their powers, prescribe their duties, and fix their salaries; and the said secretary, and other officers, shall give such bonds with such conditions and securities, and such penal sums as the said board may require, and shall hold their offices during the pleasure of said board: and generally, the said board may do all lawful acts whatever, necessary or convenient, to fulfil and effectuate the ends and purposes of this act.

Power of board to appoint officers

Shall give bond

Duties and powers defined by by-laws

SEC. 17. In all cases not herein fully provided for, the duties and powers of all officers of the said company shall be such as may be prescribed and defined by the by-laws and regulations thereof.

Tolls

SEC. 18. The said directors are also hereby empowered and authorised to establish, collect, and receive, to the sole use of said corporation such tolls upon all passengers, and every description of property, which may be convey-

ed upon said road or roads, at such rates per mile as to them may or shall seem expedient and proper, and to manage and regulate, and prescribe all matters relating to the time and manner of such transportation, the construction of wheels, form, weight and size of all cars, carriages, or vehicles to be used on said road or roads, and all other things relating to said transportation, and establish such rules and ordinances in relation thereto as they may deem proper.

Powers

Rules and ordinances

SEC. 19. The directors shall, semi-annually or otherwise, declare and pay such dividends of so much of the profits of the corporation; and in case of any loss, the estate of each and every stockholder shall be liable for the amount actually subscribed for by him, he, or them, and remaining unpaid: *Provided*, That if the said corporation shall not commence the survey of the route or routes, and the construction of the rail road or rail roads within three years from and after the passage of this act, then this act to be void and of no effect, otherwise to remain in full force.

Shall declare dividends

Proviso

SEC. 20. This act is hereby declared a public act, and shall take effect from and after its passage, and shall be liberally construed for every purpose herein contained; all printed copies of the same which shall be printed by or under the authority of the General Assembly shall be admitted by all courts and places, magistrates and public officers as good evidence thereof without any further proof whatever: *Provided*, Nothing herein contained shall be so construed as to authorise said company to make more than two rail roads.

Is a public act

Proviso

APPROVED 3d March, 1837.

AN ACT to incorporate the Tamarawa and Mississippi Rail Road Company. In force March 3, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That John Winstanly, A. W. Snyder, Gustav P. Kermer, Henry Ottara and Isaac Tolin, and their associates, successors and assigns be and they are hereby created a body corporate and politic, under the name of the "Tamarawa and Mississippi Rail Road Company," and by that name shall be and are hereby made capable in law to sue and be sued to final judgment and execution, plead and be impleaded, defend and be defended, in any court of record, or in any other place whatsoever; to make, have and use a common seal,

Created body politic and corporate.

Common seal.

and the same to renew or alter at pleasure; and shall be and are hereby vested with all the privileges, powers, and immunities, which are or may be necessary to carry into effect the purpose or object of this act, as hereafter set forth, and said company are hereby authorized and empowered to locate, construct, and finally complete, a rail road leading from the Mississippi river, near Wilcox's ferry, to the town of Tamarawa, on the Kaskaskia river, in such manner and form as they shall deem to be most expedient, and for this purpose the said company are authorized to lay out their said road not exceeding six rods wide, through the whole length, and for the purpose of cuttings, embankments, and procuring stone and gravel, may take as much more land as may be necessary for the proper construction and security of said road: *Provided however*, That all damages that may be occasioned to any person or corporation by the taking land or materials for the purposes aforesaid, shall be paid for by said corporation, in the manner hereafter provided.

To construct a rail road.

Proviso.

Amount of capital stock.

Directors to transact business of corporation.

Treasurer to give bond.

Directors may exercise powers, &c

May hold land

SEC. 2. The capital stock of said company shall consist of two thousand shares of one hundred dollars each, which shall be deemed personal property, and transferrable as other personal property; and the immediate government and direction of the affairs of said company shall be vested in a board of not less than five directors, who shall be chosen by the members of the corporation in the manner hereinafter provided, and shall hold their offices until others be duly qualified to take their places as directors, a majority of whom shall form a quorum for the transaction of business; shall elect one of their own number to be president of the board, who shall also be president of the company; and shall have authority to choose a clerk, who shall be sworn to the faithful discharge of his duty, and a treasurer, who shall give bonds to the corporation, with securities, to the satisfaction of the directors, in a sum not less than ten thousand dollars for the faithful discharge of his trust.

SEC. 3. The president and directors for the time being are hereby authorized and empowered, by themselves or their agents, to exercise all the powers herein granted to the company, for the purpose of locating, constructing and completing said rail road, and for the transportation of persons, goods and merchandize, and all such other powers and authority for the management of the affairs of the said company, not heretofore granted, as may be necessary and proper, and to carry into effect the object of this grant; to purchase and hold land, materials, engines, cars, and other necessary things, in the name of the corporation, for the use of said road, and for the transporta-

tion of persons, goods and merchandize; to make such equal assessments from time to time, on all the shares of said company, as they may deem expedient and necessary in the execution and progress of the work, and direct the same to be paid to the treasurer of the company, and the treasurer shall give notice of all such assessments; and in case any subscriber shall neglect to pay his assessments for the space of thirty days, after due notice by the treasurer of said company, the directors may order the treasurer to sell such share or shares at public auction, after giving due notice thereof, to the highest bidder, and the same shall be transferred to the purchaser, and such delinquent subscriber shall be held accountable to the company for the balance, if his share or shares sell for less than the assessment due thereon, with interest and cost of sale, and shall be entitled to the overplus of his share or shares, if they shall sell for more than the assessment due thereon, with interest and costs of sale: *Provided however*, That no assessment shall be laid upon any share in said company, of a greater amount than one hundred dollars on a share.

Treasurer may
sell shares.

Proviso

SEC. 4. The said company shall have power to make, ordain and establish all such by-laws, rules, regulations, ordinances, as they shall deem expedient and necessary to accomplish the designs and purposes, and to carry into effect the provisions of this act, for the assignment and transfer of its stock, and for the well ordering, regulating, and securing of the interest and affairs of the company: *Provided*, The same be not repugnant to the constitution and laws of this state or of the United States.

Company may
pass by-laws.

Proviso.

SEC. 5. A toll shall be and is hereby granted and established for the sole benefit of said company, upon passengers and property of all descriptions, which may be conveyed or transported upon said rail road, at such rates per mile, as may be agreed upon and established from time to time by the directors of said company. The transportation of persons and property, the construction of wheels, the form of cars and carriages, the weight of loads and all other matters and things in relation to the use of said rail road, shall be in conformity to such rules, regulations and provisions, as the directors from time to time, shall prescribe and direct; and such rail road may be used by any person who shall comply with such rules and regulations: *Provided however*, That if at the expiration of ten years from and after the completion of said road, the nett income or receipts for tolls and other profits, taking the ten years aforesaid as the basis of calculation, shall have amounted to more than ten per cent. per annum, upon the cost of said road, the legislature may take measures to alter and reduce the rates of toll and other profits,

Tolls may be
collected.

Proviso.

in such a manner as to take off the overplus for the next ten years, calculating the amount of transportation upon the road to be the same as the ten preceding years, and at the expiration of every ten years thereafter, the same proceedings may be had: *Provided further*, That the legislature shall not at any time so reduce the toll and other profits, as to produce less than ten per cent. upon the cost of said rail road, without the consent of the corporation.

Proviso.

May erect toll houses.

SEC. 6. The directors of said company for the time being, are hereby authorised to erect toll houses, establish gates, appoint toll gatherers, and demand toll upon the road when completed, and upon such parts thereof as shall from time to time be completed.

Company to pay damages.

SEC. 7. The said company shall be holden to pay all damages that may arise, to any person or persons, corporation or corporations, by taking their land for said rail road, when it cannot be obtained by voluntary agreement, to be estimated and recovered in the manner provided by law for the recovery of damages happening by the laying out of high ways.

Damages may be released

SEC. 8. When the lands or other property or estate of any feme covert, infant, or person non compos mentis; shall be taken for the use of the road as aforesaid, the husband of such feme covert, or guardian of such infant or person non compos mentis, may release all damages for any lands or estate, taken or appropriated as aforesaid, as they might do if the same were holden by them in their own right respectively.

Persons obstructing road to pay damages

SEC. 9. If any person shall wilfully, maliciously or wantonly, and contrary to law, obstruct the passage of any carriage on said rail road, or in any way spoil, injure or destroy said rail road, or any part thereof, or any thing belonging thereto, or any materials or implements to be employed in the construction or for the use of said road, he, she or they, or any person or persons assisting, aiding or abetting in such trespass, shall forfeit and pay to said company for every such offence, treble such damages, as shall be proved before the justice court or jury, before which the trial shall be had, to be sued for and recovered before any justice, or any court proper to try the same, by the treasurer of the company, or other officer whom they may direct, to the use of said company; and such offender or offenders shall be liable to indictment, by the grand inquest for the county within which such trespass shall have been committed, for any offence or offences, contrary to the above provisions; and on conviction thereof before any court competent to try the same, shall pay a fine not exceeding one hundred dollars, nor less than thirty dollars, to the state, or may be imprisoned for a term

LIABLE TO INDICTMENT.

Pay a fine.

not exceeding one year, at the discretion of the court, before whom the conviction may be had.

SEC. 10. The annual meeting of the members of said corporation shall be holden on the first Monday of June, at such time and place as the directors for the time being may appoint, at which meeting the directors shall be chosen by ballot, each proprietor being entitled to as many votes as he holds shares: *Provided*, That no vote shall be given by any proprietor, by reason of any share held by him, exceeding one tenth part of the whole number of shares; and the person first named or any two of the persons named herein, are hereby authorised to call the first meeting of said corporation, by giving notice in the Saint Clair Gazette of the time and place, and purpose of such meeting, at least fifteen days before the time mentioned in such notice.

Meeting of members as directors may appoint.

Proviso

SEC. 11. If the said rail road, in the course thereof, cross any river, canal, turnpike, or highway, the said corporation shall so construct said rail road as not to obstruct the safe and convenient use of such river, canal, or turnpike or highway.

SEC. 12. If said company shall not have been organized, and the location of the route filed with the county commissioners of the county or counties in which the land proposed to be taken for the use of said rail road is situate, previous to the first day of September, in the year of our Lord eighteen hundred and forty, and if said corporation shall fail to complete said rail road, on or before the first day of January, eighteen hundred and fifty, in either of the above named cases, this act shall be null and void.

Time to organize, &c.

Time to complete.

SEC. 13. The said rail road company shall constantly maintain in good repair all bridges, with their abutments and embankments, which they may construct for the purpose of conducting their rail road over any canal, river, turnpike or other highway.

Bridges to be kept in repair.

SEC. 14. It shall be in the power of the state, at any time during the continuance of this charter, after the expiration of thirty years from the opening for use of the rail road through, provided it be made, to purchase of said company the said rail road, and all the franchises, rights and privileges of the said company, by paying them therefor the amount expended in making said rail road, with twelve per cent. interest thereon, and after such purchase, the limitation provided in the fifth section of this act shall cease and be of no effect. And it shall be the duty of said company, from year to year, to make report to the legislature of their acts and doings, receipts and expenditures, under the provisions of this act.

State may purchase road.

Company to make report.

SEC. 15. The shares of the capital stock of the Monroe

Shares of company to be deemed personal property. mining, manufacturing, and exporting company, shall be taken and deemed personal property, and transferrable in such manner as shall be established by the by-laws of said company.

APPROVED 3d March, 1837.

In force March 4, 1837.

AN ACT to incorporate the Lacon Manufacturing Company.

Created a body politic and corporate. To have a common seal.

SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly,* That all such persons as shall become subscribers to the stock hereinafter described, shall be, and they are hereby constituted and declared a body politic and corporate, by the name and style of the "Lacon Manufacturing Company," from and after the passage of this act, and by that name they and their successors shall have succession, and shall in law be capable of suing and being sued, pleading and being impleaded, in all courts and places whatsoever; may have a common seal, alter and change the same at pleasure. And they and their successors may also, by that name and style, be capable in law, of contracting and being contracted with, and of purchasing, holding, conveying, any real and personal estate, for the purposes and use of said corporation, as hereinafter limited.

Powers of president and directors.

SEC. 2. The president and directors of said company, hereinafter provided for, shall have power, and are hereby authorized to carry on the manufacturing of flour, wool, hemp, beet sugar, and other useful branches of business; to erect mill works, machines, and such other buildings as may be necessary to carry on their business; to export their manufactures and products; to purchase in the name of the corporation land sufficient for the purposes and object of the company; and to enter into all contracts which may concern the use and management of said property, or may be necessary and proper to carry into effect the object of this act, and exercising all the power herein granted to the company.

Capital stock

SEC. 3. The capital stock of said company shall consist of one hundred and fifty thousand dollars, divided into shares of one hundred dollars each.

Commissioners to obtain subscription to capital stock.

SEC. 4. That for the purpose of carrying into effect the object of this act, Jesse C. Smith, Ira J. Fenn and Joseph H. Johnson, are hereby appointed commissioners to obtain subscriptions to the capital stock; and said commissioners,

or a majority of them, after giving general notice thereof To give notice in some paper printed in this State, may open books for the subscription of said stock, at such time and places as they may direct, and keep the same open till at least one thousand shares of said capital stock is subscribed; if the requisite number of shares shall not be subscribed within thirty days after the books are opened, said commissioners, or a majority of them, shall take such measures for completing such subscriptions, as they may deem expedient and proper. Every subscriber shall at the time of subscribing, pay to said commissioners the sum of one dollar for each share subscribed. Subscribers to pay for each share When such subscription is completed, or within sixty days thereof, said commissioners, or a majority of them, shall call a meeting of the stockholders at Lacon, by a printed notice in some newspaper of general circulation within this State.

SEC. 5. That at said meeting the stockholders of said company shall immediately proceed to elect five directors, Election to be held for directors who shall manage, direct and govern, the affairs of said company, one year from the period of said election, and until their successors, who shall be vested with the same authority, are elected. Term of office

SEC. 6. And that at said election, each stockholder shall be entitled to give one vote for each share of stock he may hold, and a majority of all the votes given shall be required to make an election.

SEC. 7. That the period of election shall be annually When election to be held the first Monday in the month in which the first election was held, and at such time and place as the president and directors may appoint.

SEC. 8. That immediately after the directors are chosen as above, they shall hold a meeting, at which, and all subsequent meetings, a majority shall constitute a quorum; Quorum of directors to elect officers that they shall proceed to the election of a president from one of their number; a secretary, who shall be sworn by a justice of the peace to the faithful discharge of his duty, Officers to take oath and who shall record all votes of the corporation in a book, to be by him kept for that purpose; a treasurer, who shall give bond to such amount, and in such manner, as the said president and directors shall direct; Treasurer to give bond and such other officers and agents as to them may seem necessary.

SEC. 9. That said president and directors shall have To make by-laws power from time to time, to make all such by-laws, rules and regulations, not inconsistent with the constitution and laws of this State, which may be necessary for the payment or collection of subscriptions to its stock; the transfer and assignment of the same; the conveyance of property, or that in any other way may concern the manage-

ment and direction of the affairs and interest of said company.

Proviso. SEC. 10. This act shall continue in force for the term of thirty-five years from the passage thereof; *Provided, however,* That during that time, upon any departure from or violation of the provisions of this act, the Legislature may alter, amend or repeal, the same, as they may deem the public good shall require.

APPROVED 4th March, 1837,

In force March
4, 1837.

AN ACT to incorporate the Jacksonville Hotel Company.

Body politic & corporate created
Powers

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That John P. Wilkenson, Matthew Stacy, James Dunlap, James Tilton, Ira Davenport, T. T. January, D. B. Ayers, John Hurst, Porter Clay, Philip Coffman, and their successors and associates, be, and they are hereby constituted a body politic and corporate, under the name of the "Jacksonville Hotel Company;" said Hotel to be located in the town of Jacksonville, in Morgan county, and by the name aforesaid shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts in this State; and shall be vested with all powers and privileges necessary to the object of their incorporation, as are herein defined and provided.

Amount of capital stock
Shares
Commissioners

SEC. 2. The capital stock of said corporation shall be ten thousand dollars, with liberty to increase the sum to forty thousand dollars, which capital stock shall be divided into shares of fifty dollars each.

Rights & privileges

SEC. 3. The individuals aforesaid shall be commissioners to open books for the subscription of the capital of said company, at Jacksonville, and at such times as to them may seem proper; and said corporation shall be entitled to all the rights and privileges, and be subject to all the penalties and forfeitures, granted to the Alton Hotel Company by an act entitled "An act to incorporate the Alton Hotel Company," approved February 12th, 1835; *Provided, however,* That said corporation shall not deal in bills of exchange, and shall exist for thirty years.

Act repealed

SEC. 4. The proviso to the 7th section of an act entitled "An act to incorporate the Jacksonville Female Academy," approved 27th January, 1835, be, and the same is hereby repealed.

SEC. 5. That the Alton Hotel Company be, and they are hereby authorized, at any time within three months from the passage of this act, to open books of subscription in pursuance of the regulations contained in the act entitled "An act to incorporate the Alton Hotel Company," approved February 12th, 1835.

Alton Hotel Company may open books

APPROVED 4th March, 1837.

AN ACT to incorporate the Quincy Academy.

In force March 4, 1837

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the persons hereafter to be elected in pursuance of the provisions of this act, and their successors, be and they are hereby created a body politic and corporate, to be styled the "Trustees of Quincy Academy," and in that name to remain in perpetual succession, with power to sue and be sued, to plead and be impleaded, to acquire, hold, and convey property, real and personal, to have and use a common seal, to alter and change the same at pleasure: to make and alter from time to time such by-laws as they may deem necessary for the good government and regulation of said institution, its officers, agents, students, and property: *Provided* Such by-laws be not inconsistent with the constitution and laws of the United States and of this state.

Corporation created a body politic

Can hold real estate and use a common seal

Proviso

SEC. 2. That Henry H. Snow, Joseph T. Holmes, and Willard Keyes, be and they are hereby appointed commissioners to solicit and receive subscriptions of stock to said institution. Said stock shall be subscribed in shares of fifty dollars each, to be paid by instalments of ten dollars on each share. The first instalment to be paid at the time of subscribing, or before the first election for trustees; and the commissioner to whom the money is paid shall give a receipt for the same, and pay the same over to the treasurer, when elected and qualified. And when one hundred shares of stock are subscribed, said commissioners, or a majority of them, shall give public notice in such manner as they shall deem most expedient, of the time and place of holding an election of trustees for said institution, and shall act as a board to conduct said election.

Commissioners to receive subscriptions of stock

To give receipt and pay over money to treasurer

To give notice of time & place of election of trustees

SEC. 3. The trustees shall consist of six stockholders together with the "preceptor," or "principal" of said institution, who, for the time being, shall be *ex-officio*, a member of the board of trustees. At the first election three trustees shall be elected to serve two years, and the other

Trustees to consist of stockholders
Term of service

three to serve one year; and every year thereafter there shall be an election of three trustees, to continue in office two years, or until their successors are duly elected and qualified. The time and place of holding elections shall be fixed by the by-laws of the corporation; and every stockholder shall be entitled to one vote for each and every share he or she may hold in the same.

Time & place of holding elections

Elections to be by ballot

SEC. 4. All elections for trustees shall be by ballot with the name of the voter, and the number of shares he or she may hold in said institution, written or printed in the ballot. Votes may be given by proxy when not convenient for the stockholders to attend personally, by scaling up the ballot and endorsing his or her name on the outside thereof. Previous to each election it shall be the duty of the trustees to appoint three stockholders to act as inspectors of election and notify them of their appointment. The secretary of the board of trustees shall give public notice of the time and place of holding each election, at least ten days previous to the day of election. He shall keep a record of the names of the voters, when they give in their votes, and record the number of votes given to each individual voted for, and shall notify the persons having the highest number of votes of their election, according to the number required to be elected. Should there be a tie, that is, more persons than are required to be elected should have the highest and equal number of votes, the trustees, at their next meeting, shall decide who is elected among those having an equal number of votes.

Trustees to appoint three stockholders

Secretary to give notice of time and place of election

Trustees to elect a president and secretary

SEC. 5. The trustees shall, at their first meeting after an annual election, proceed to elect from their own body a president and secretary; they shall also elect a treasurer, who must be a stockholder; and these officers shall severally perform the duties that usually devolve upon such officers in similar institutions, or that may be assigned them by the by-laws of the corporation.

Treasurer to give bond of office

SEC. 6. The treasurer, before entering upon the duties of his office shall execute a bond with approved security to the "trustees of Quincy Academy," in such penal sum as they may require, conditioned for the faithful performance of the duties of his office as treasurer for said corporation. And process against the corporation shall be by summons, and the service of the same shall be by leaving an attested copy thereof with the treasurer or at his usual place of abode, at least thirty days before the return thereof.

Form of process against corporation

Trustees to select a situation for the academy

SEC. 7. A majority of the trustees shall constitute a quorum to do business; and so soon as they are organized by the election of their proper officers, they shall be empowered to select and obtain by purchase or otherwise, a

suitable situation for the location of said academy in or near the town of Quincy, Adams county, Illinois; to procure suitable buildings erected thereon, for the use and benefit of said institution; to employ and appoint a principal, fix his salary, and the rate of tuition from time to time; appoint all other officers, instructors, or agents that may be necessary for the prosperity of the institution, and the state of funds may justify; to displace any or either of them when they deem the cause of education or interests of the institution require it; to fill vacancies in their own body until the next meeting of stockholders, (when the vacancies shall be filled by election of the stockholders;) make by-laws and prescribe and regulate the course of studies to be pursued in this institution.

Can appoint officers and agents

Can fill vacancies

Can make by-laws

SEC. 8. There shall be annual meetings of stockholders, and stated quarterly meetings of the board of trustees; the times and places of holding each shall be fixed by the by-laws. Special meetings of the stockholders may be called at any time by the board of trustees; and special meetings of the trustees may be called at any time by the president or by the secretary, on request of two members of the board. The secretary and treasurer shall make annual reports from their respective departments to be read at the annual meeting of the stockholders.

Meeting of stockholders

Special meetings called

Secretary and treasurer to make annual reports

SEC. 9. If any member of the board of trustees shall absent himself from any stated meeting of the board, he shall be required to render his excuse at the next stated meeting he may attend; if the board consider his excuse good, it shall be accepted, if not good it shall be noted as not accepted; and for three failures without good excuse, during the time for which he was elected, his seat shall be declared vacated, and another chosen to fill it.

Office of trustee may be vacated

SEC. 10. This institution shall be devoted solely to promote the cause of education and morality; to encourage our youth to cultivate their mental faculties, and develop the inherent qualities of the mind, and train them to become useful members of society. No preference shall be given to pupils sent by stockholders or contributors to the funds of this institution, unless it becomes crowded so as necessarily to exclude some, when stockholders may have the preference in such way as the trustees shall deem just and right; but in all cases they shall pay the same tuition fees, and enjoy the same and no greater privileges than in common with others: *Provided, nevertheless, That in case any donation or bequest shall be made for particular purposes accordant with the design of this institution, and the corporation shall accept the same, every donation or bequest shall be applied in conformity with the express conditions of the donor or deviser. It shall be the duty of*

Benefits to be derived by the institution

No preference given to pupils

Proviso

the trustees to suspend or expel from the institution all persons whose habits are idle or vicious, or whose moral character is bad.

Amount of
land held by cor-
poration
Proviso

SEC. 11. The lands within the bounds of this state held in perpetuity by this corporation shall not exceed six hundred and forty acres at one time: *Provided, however,* That if donations, grants or devises in land shall from time to time be made to said institution over and above the amount that may be held in perpetuity, the same may be received and held in trust by the board of trustees, but shall be sold within five years from the date of such donation, and the funds arising from such sale applied to the benefit of said institution.

Stock regulated
by by-laws &c.

SEC. 12. The stock in this institution shall be owned and may be transferred in the same manner as stock in other incorporated companies; to be regulated by the by-laws, and registered in a book kept for the purpose: and any stockholder failing to pay any balance or assessment due on any share or shares, after thirty days notice of its being due, shall forfeit such share or shares, and the money paid thereon, to the benefit of the institution: *Provided,* not exceeding ten dollars on a share of the original subscription shall be called for at one time.

Proviso

SEC. 13. Should the amount of tuition received in any one year fall short of paying the salaries of the teachers and the contingent expenses of the institution, the trustees shall have power to lay an equal assessment upon each share of stock sufficient to raise on all the shares subscribed a sum equal to such deficiency; and if such assessment shall remain unpaid on any share or shares after thirty days public notice have been given requiring the same to be paid, it shall be lawful for the treasurer of the corporation to sell such delinquent share or shares to the highest bidder at public sale, on giving at least ten days public notice of the time and place of such sale; and the purchaser or purchasers at such sale shall receive a certificate for all such shares, which shall vest in him or them the title to the same. And all moneys arising from such sales shall go exclusively to pay the aforesaid deficiencies: *Provided,* No such assessment shall be levied in any one year for a greater amount than two dollars and fifty cents on each share.

Trustees may
lay an assess-
ment on stock

Can sell delin-
quent shares of
stock

Give notice of
sale

Proviso

SEC. 14. This act shall be a public act and shall be construed favorably and benignly in all courts and places for the purposes herein expressed and declared.

APPROVED, 4th March, 1837.

AN ACT to amend an act entitled "An act to incorporate the Galena and Chicago Union Rail-road Company," approved 16th January, 1836. In force March 4th, 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the capital stock of the Galena and Chicago Union Rail-road Company be and the same is hereby authorized to be increased to a sum not exceeding one million of dollars in addition to its present capital, with the assent of the stockholders of the said company, to enable them to complete the construction of the roads authorized by the charter of said company. Capital stock to be increased

SEC. 2. The said additional capital stock shall be taken under and according to the provisions of the third section of the original act of incorporation, and the time for the final completion of said road is extended five years; and the said company, having applied to the United States for a right of way over the public lands, may receive, take, and hold all such lands as may be ceded or granted to said company by the United States, or by individuals, for the purpose of enabling them to construct said road, or to erect thereon depots, toll-houses, and for such other purposes and uses as may be deemed necessary and useful to said company; and they may dispose of any fractional or surplus portion thereof, if any there should be, whenever it shall appear that so much thereof is not absolutely necessary to be retained, whereon to construct said road, and erect such depots, toll-houses, and other appendages, to raise additional means wherewith to enable said company to construct said road in the best possible manner. Time for completion of road
Company may hold lands granted to them
May erect toll houses, &c

SEC. 3. Should it appear impracticable for the said company to construct the said road the whole of the distance contemplated by said act, or that it would be more advantageous to the company or the public interest, that the said Rail-road should be connected with the State Central Rail-road, then the said company are authorized to terminate the said road at such point as shall be deemed most practicable; and may intersect and construct the said road with the said Central Rail-road in its course to Galena: *Provided,* Nothing contained in the provisions of this act shall authorize the said company to have, purchase, receive or hold any land upon any line of any Rail-road authorized to be constructed by the State, nor to construct any Rail-road upon or near the same line or any road authorized to be constructed by the state. Company may intersect with Central Rail-road
Proviso.

APPROVED, 4th March, 1837.

In force March 4th, 1837 AN ACT to amend "An act to incorporate the Wabash Rail-road Company."

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That the towns of Upper Alton, in Madison county, and Charleston, in Coles county, be and the same are hereby declared points through which the road, mentioned in first section of the act to which this is an amendment, shall be made to pass.*

APPROVED 4th March, 1837.

In force March 4, 1837. AN ACT to amend an act incorporating the Illinois Exporting Company.

Company may increase the quantity and hold estate

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly, That the Illinois Exporting Company may increase the quantity of real estate, authorized to be held by said company in the first section of their charter, not exceeding one quarter section; and may hold, also, such lands, tenements, and hereditaments as shall have been bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its business, or purchased upon judgments, which shall have been obtained for such debts, for a term not exceeding three years from the time of acquiring such title.*

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

APPROVED 4th March, 1837.

In force March 4, 1837 AN ACT to incorporate the Chester, Nashville and Pinckneyville Rail Road Company.

Constituted a body corporate and politic

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Joseph B. Holmes, Gabriel Jones and John W. Dade, of the county of Randolph; Joseph Dennis, Henry Varm and Charles McCord, of the county of Washington; Humphrey B. Jones and Levy Green, of the county of Perry, their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of the "Che-*

ter, Nashville and Pinckneyville Rail Road Company," Name & style
 and by that name may be, and hereby are, made capable Powers of cor-
 in law and equity, to sue and be sued to final judgment poration
 and execution, plead and be impleaded, defend and be
 defended, in any court or courts of record, or in any other
 place whatever; to make, have and use, a common seal,
 and the same to break, renew and alter, at pleasure; and
 shall be, and are hereby vested with all the powers, privi-
 leges, and immunities, which are, or may be necessary to
 carry into effect the purpose and objects of this act, as
 hereinafter set forth. And the said company are hereby
 authorized and empowered to locate, construct, and final-
 ly complete, a rail road, commencing at the town of Ches-
 ter, in the county of Randolph, thence to Columbus in said
 county, thence to Nashville in Washington county, in
 such manner and form as said company shall deem most
 expedient; and for this purpose said company are author-
 ized to lay out their said road, at least six rods wide; and Width of road
 for the purpose of cutting embankments, stone and gravel,
 may take as much more land as may be necessary for the
 proper construction and security of said rail road; *Provid-* Provisu.
ed, That all damages that may be occasioned to any per-
 son or corporation, by the taking of such land or materi-
 als, for the purposes aforesaid, shall be paid for in the man-
 ner hereinafter provided.

SEC. 2. The capital stock of said company shall be three Capital stock,
 hundred thousand dollars, with liberty to increase the may be in-
 same, from time to time, by new subscriptions, and in such creased
 manner and form as they shall think proper, if such in-
 crease shall be found necessary to fulfil the intent of this
 act; which said capital stock shall be divided into shares Shares
 of fifty dollars each; and the immediate government and
 direction of the affairs of said company shall be vested in Directors
 five directors, who shall be chosen by the members of the
 company in the manner hereinafter provided, who shall
 hold their offices for one year, and until others shall be duly
 elected and qualified to take their places as directors; and
 the said directors, a majority of whom shall form a quo- Quorum
 rum for the transaction of business, shall elect one of their
 number president of the board, who shall also be president President
 of the company; and shall have authority to choose a clerk, Clerk
 who shall be sworn to the faithful discharge of his duty;
 and a treasurer, who shall give bond to the company, with Treasurer
 sureties to the satisfaction of the directors.

SEC. 3. The president and directors, for the time being, Further powers
 are hereby authorized and empowered, by themselves, or of president &
 their agents, to exercise all the powers and authority here- Directors
 in granted, for the purpose of locating, constructing and
 completing said rail road, and all such other powers and

- authority for the management of the affairs of said company, not heretofore granted, as may be necessary to carry into effect the object of this grant; to purchase and hold lands, materials, and other necessary things, in the name of the company, for the use of the road; to make such equal assessments from time to time, on all the shares of said company, as they may deem expedient and necessary in the progress and execution of the work, and direct the same to be paid to the treasurer of the company; and the treasurer shall give notice of all such assessments. The board of directors shall have power to adopt rules and by-laws, regulating the manner and time of payment of all assessments they may order, under such penalties as they may deem proper.
- To purchase & hold lands**
- Assessments**
- To make rules and by-laws**
- Company liable for damages**
- Lands or other estate of married women, infants, & idiots**
- Persons injured on road, how liable**
- Fine**
- Imprisonment**
- When rail road crosses highways**
- SEC. 4.** Said company shall be holden to pay all damages that may arise to any person or persons, corporation or corporations, by taking their lands, gravel or stone, for the use of said rail road, when the same cannot be obtained by voluntary agreement, to be estimated and recovered in the manner provided by law for the recovery of damages happening by the laying out of highways.
- SEC. 5.** When the lands, or other property or estate, of any married women, infant, or person non compos mentis, shall be necessary for the construction of said rail road, the husband of such married women, and the guardian of such infant, or person non compos mentis, may release all damages in relation to the land or estate to be taken, and appropriated as aforesaid, as fully as they might do if the same were holden in their right respectively.
- SEC. 6.** If any person shall wilfully, maliciously, or wantonly, and contrary to law, obstruct the passage of any car on said rail road, or any part thereof, or any thing belonging thereto, he, she, or they, or any person assisting, shall forfeit and pay to said company, for every such offence, treble such damages as shall be proved before any court competent to try the same, to be sued for in the name and in behalf of said company; and such offender or offenders shall be deemed guilty of misdemeanor, and liable to indictment in the same manner as other indictments are found, in any county or counties where such offence shall have been committed; and upon conviction, such offender or offenders shall be liable to a fine not exceeding five thousand dollars, for the use of the county where the indictment may be found, or may be imprisoned not exceeding one year, at the discretion of the court before whom the conviction may be had.
- SEC. 7.** If the said rail road, in the course thereof, shall cross any river, canal, turnpike, or other highway, the said rail road shall be so constructed as not to impede or

obstruct the safe and convenient use of such river, canal, turnpike, or other highway; and said company, hereby created, may construct a lateral road from Pinckneyville in Perry county, through Georgetown in Randolph, to the nearest practicable point of said rail road; which lateral rail road may be made and constructed in the same manner, and be subject to the same rules and regulations, when completed, that the main road is by this act.

SEC. 8. The time of holding the annual meetings of said company, for the election of directors, shall be fixed and determined by the by-laws of said company; and at all meetings each stockholder shall be entitled to vote, in person, or by proxy duly authorized, one vote for each share he or she may own.

SEC. 9. That Seth Allen, Robert Jones, Robert G. Shannon, Darius Greenup, Levira Carter, Gilbert Nettleton and William Edwards, are hereby appointed commissioners to open subscription books for the stock of said company; said commissioners, or a majority of them, are hereby authorized to open subscription books for said stock, at such places as they may deem proper, and shall give at least thirty days notice of the time and place where such books shall be opened; and shall keep the same open for five days, unless the whole number of shares of said company shall be sooner subscribed; and they shall require each subscriber to pay one dollar on each share subscribed, at the time of subscribing; and at the termination of said term of five days, or sooner, if the whole amount of said shares shall be taken, said commissioners shall call a meeting of the stockholders, by giving ten days notice in some public newspaper printed in this State, of the time and place of such meeting. At such meeting it shall be lawful to elect the directors of said company; and when the directors of said company shall have been chosen, the said commissioners shall deliver said subscription books, together with all sums of money received by them, to said directors; *Provided*, That no election shall be held until at least one hundred thousand dollars of said stock shall have been subscribed; *and provided*, That each director, shall, at the time of his election, have at least ten shares of the capital stock of said company.

SEC. 10. Said board of directors shall have power to make, ordain and establish, such by-laws, rules and regulations, and ordinances, as they may deem expedient and necessary to accomplish the purposes, and carry into effect the provisions of this act; and for the well ordering, regulating and securing, the interests and affairs of said company; *Provided*, The same be not repugnant to the constitution and laws of this State, or of the United States;

To construct a lateral road

Annual meetings

Votes

Commissioners to open subscription books

Notice to be given

\$1 to be paid on a share

Meeting

Provided

Further provided

To make by-laws, rules and regulations

Provided

If road not constructed in ten years this act be void

SEC. 11. That if the corporation hereby created shall not within ten years from the passage of this act construct and finish, and put in operation, the said rail road, and lateral branch, or any part thereof, as shall be deemed expedient by said corporation, then the said corporation shall thenceforth and forever cease, and this act be null and void.

APPROVED 4th March, 1837:

In force 4th
March, 1837

AN ACT to incorporate the Washington Academy.

SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly,* That Charles S. Dorsey, Daniel White, John Lindley, William H. Kilborn, William Holland, Romulus Barnes, R. T. Goodwin, T. D. Hungerford, Thomas Vater, Abraham W. Vanmeter, Benjamin Mitchell, J. H. Yager, and their associates be, and they are hereby created a body politic and corporate, to be styled and known by the name of the "Trustees of the Washington Academy," and by that style and name to remain and have perpetual succession. The said academy shall be and remain at or near the town of Washington, in the county of Tazewell, and state of Illinois. The number of trustees shall not exceed twelve, one of whom shall be president of the board, to be chosen by the trustees. For the present, the above named persons shall constitute the board of trustees, who shall fill the remaining vacancies at their pleasure.

SEC. 2. The objects of said corporation shall be the diffusion of knowledge and the promotion of the general interests of education.

SEC. 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of said object, and such as are usually bestowed on similar bodies corporate, to wit: To have perpetual succession, to make contracts, to sue and be sued, to plead and be impleaded, to grant and receive by its corporate name, and to do all other acts as natural persons may; to accept, acquire, purchase or sell property, real, personal or mixed, in all lawful ways; to use, employ, manage and dispose of; all such property, and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the objects aforesaid; to have a common seal, and to alter and change the same; to make such by-laws for its regulations as are not inconsistent with the

Body politic.

Name.

Objects.

Powers.

May sue.

May hold
property.

Have a common seal.
By-laws.

constitution and laws of the United States and of this state, and to confer on such persons as may be thought worthy, such academical or honorary degrees, as are usually conferred in similar institutions.

SEC. 4. The trustees of said corporation shall have power and authority from time to time, to prescribe and regulate the course of studies to be pursued in said academy; to fix the rate of tuition and other academical expenses; to appoint instructors, and such other officers and agents, as may be necessary in managing the concerns of the institution; to fix their compensation; to displace or remove them; to erect necessary buildings; to purchase books; chemical and philosophical apparatus, and other suitable means of instruction; to make rules for the general government of the institution, and for the regulation of the conduct of the students. Powers of trustees.

SEC. 5. The trustees for the time being, in order to have perpetual succession, shall have power to fill any vacancy which may occur in the board from death, removal, resignation, or any other cause. A majority of the trustees for the time being shall be a quorum to do business. Shall fill vacancy.

SEC. 6. It shall be the duty of the trustees to appoint one of their number treasurer of the board, who shall be required to give bond with sufficient security, in such penal sums as the board may require and prescribe, conditioned for the performance of such duties as the by-laws may require of him. Treasurer.

SEC. 7. Said institution shall be open to all denominations of christians, and the profession of any particular religious faith shall not be required of those who become students. All persons, however, may be suspended or expelled from said institution by the trustees thereof, whose habits are idle or vicious, or whose moral character is bad. Open to all.

SEC. 8. The land, tenements, and hereditaments, to be held in perpetuity by virtue of this act, by said corporation, shall not exceed six hundred and forty acres: *Provided however,* That if any donation, grants, or devises in land, shall from time to time be made to said corporation, over and above the six hundred and forty acres, which may be held in perpetuity as aforesaid, the same may be received by said corporation for the period of five years from the date of any such donation, grant, or devises, at the end of which time, if the said land shall not have been sold by the said corporation, then and in that case the said lands so donated, granted or devised, shall revert to the donor, grantor, or heirs of the devisor of the same. Shall not exceed 640 acres. Proviso.

APPROVED March 4, 1837.

In force March
4, 1837.

AN ACT to incorporate the Hillsboro' Academy.

Body corpor-
ate and politic.

To have suc-
cession.

To promote
education.
May sue and
be sued.
May hold prop-
erty.
May have and
use a common
seal.
May alter
same.
To make by-
laws.

Confer degrees.

Vote by ballot.

To give bond.

Number of
trustees not to
be increased.

Shall have au-
thority to regu-
late all studies.

Erect buildings

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John Tillson, jr. Israel Seward, Lloyd Morton, John S. Hayward, Charles Holmes, jr. Hiram Roundtree, William S. Russell, Matthew S. Cushman, Francis H. Hariford, Thomas A. Spillman, Daniel Schour, George Burnap, Edwin A. Casey, Thomas Stardevant, and William Witherspoon, be and they are hereby created a body politic and corporate, to be styled and known by the name of the "Trustees of the Hillsboro' Academy;" and by that style and name to have perpetual succession. The said academy shall be and remain at or near Hillsboro' in the county of Montgomery, and state of Illinois.

SEC. 2. The corporate powers hereby granted shall be such as are usually considered requisite and useful in promoting the general interest of education, to wit: To have perpetual succession; to make contracts; to sue and be sued, plead and be impleaded; to accept, acquire, purchase or sell property, real, personal or mixed, in all lawful ways; to use, employ, manage and dispose of all such property, and all money belonging to said corporation, in such manner as may be directed by the trustees; to have and use a common seal, and to alter the same at pleasure; to make, alter and amend such by-laws for the government and regulation of said corporation as are not inconsistent with the constitution and laws of this state, and to confer such academical or honorary degrees as are usually conferred by similar institutions.

SEC. 3. The trustees of said corporation shall choose from among themselves by ballot or otherwise, a president and treasurer; and said treasurer shall also be, *ex officio*, secretary of said corporation, and may be required to give bond in such penalty and upon such conditions as said trustees may direct. Said trustees shall fill any vacancy that may occur in the board by reason of death, removal, resignation or otherwise, and a majority of said trustees for the time being, shall constitute a quorum for the transaction of business, but the number of trustees shall not be increased.

SEC. 4. The trustees of said corporation shall have authority to prescribe and regulate the studies to be pursued in said academy; to determine the rate of tuition and other academical expenses; to appoint instructors and such other officers, agents and assistants, as may be necessary to manage the concerns of the institution; to define their duties; to fix their compensation, and to displace or remove them; to erect suitable buildings; to purchase books,

chemical and philosophical apparatus; to make rules for the general management of the affairs of the institution and for regulating the conduct of the students, but no preference or restriction of students shall ever be made on account of religious opinions.

Procure apparatus.

No restriction on account of opinion.

Stock deemed personal property.

SEC. 5. The stock of said corporation shall be deemed personal property, and shall be assignable and transferrable in the manner prescribed by the trustees, but shall be held in perpetuity for the purpose of a seminary of learning, and for none other: *Provided however*, That the said trustees shall in no instance hold in trust as aforesaid, a quantity of land exceeding twenty five acres, except the same be acquired by bequest or donation to said corporation, in which case the trustees shall make sale thereof within the term of five years, and apply the proceeds to the object contemplated by the donor or testator, nor shall the capital stock of said corporation ever exceed the sum of forty thousand dollars.

Not hold more land than 25 acres.

Capital stock shall not exceed \$40,000.

APPROVED 4th March, 1837.

AN ACT to incorporate the Edinburgh Manufacturing Company.

In force 4th March, 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Benjamin Godfrey, Jesse B. Thomas Jr., Benjamin F. Edwards, Winthrop S. Gillman, John Taylor, David Prickett, Caleb Wall, Stephen T. Logan, Caleb Stone, Stacy B. Opedyche and Ninian W. Edwards, their associates and successors, be, and they are hereby constituted a body corporate and politic, by the name of the "Edinburgh Manufacturing Company," and by that name shall have power to contract and be contracted with, sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all courts of law and equity in this State; and may have a common seal, which they may alter or revoke at pleasure; and may purchase, hold and convey, any estate, real or personal, for the use of said company; *Provided*, That said company shall not at any one time hold real estate exceeding twenty-five hundred acres, excepting such as may be taken for debt, or held as collateral security for money due to said company.

Created body politic and corporate

To have a common seal

SEC. 2. The capital stock of said company shall be twenty-five thousand dollars, and shall be divided into shares of fifty dollars each, to be paid in at such times, in such manner, and under such penalties, as the president and directors may in their discretion order and appoint.

Capital stock

Increased

SEC. 3. The said capital stock may hereafter be increased to an amount not exceeding two hundred thousand dollars, should a majority of the stockholders deem it advisable, to be subscribed for in such manner, at such times and places, and under the supervision of such persons, as the president and directors may order and appoint. The said stock shall be deemed personal property, and be assignable and transferrable on the books of the corporation; but no stockholder indebted to the corporation shall be permitted to make a transfer until such debt be paid, or secured to the satisfaction of the directors.

Subscription books

SEC. 4. Winthrop S. Gillman, Jesse B. Thomas jr., Benjamin F. Edwards, David Prickett, Stacy B. Opedyche, Stephen T. Logan and Caleb Stone, are hereby appointed commissioners for procuring subscriptions to said capital stock; and said commissioners, or any two of them, shall open one or more subscription books for said stock, on such days, and at such places, as said commissioners, or a majority of them, shall deem expedient; and shall give at least thirty days public notice of such times and places, in one or more of the public newspapers printed at each of such places. The said subscription books shall be kept open until the whole of the stock shall have been taken; and the sum of one dollar on each share subscribed for, shall be paid to the said commissioners at the time of making such subscriptions; and as soon as said stock shall be subscribed, or sooner if required by the board of directors, the said commissioners shall deliver over to said directors said subscription books, and shall pay over to said board the whole amount of money severally received by them.

Powers

SEC. 5. The said company shall have power to enter into and carry on the cultivation of the beet and other saccharine vegetables, and the manufacturing of sugar therefrom; also, the different varieties of the mulberry, and the growing of silk, and the manufacturing the same into the various articles of commerce; also, oil from the poppy, sunflower seed, and other vegetables; to export their products and manufactures; to erect mills, works and machinery, and the same to put into operation and carry on, by the force of steam, horse or water power, and to erect such other buildings as may be necessary to carry on efficiently their business.

Mill works and buildings

Management

SEC. 6. The stock, property, affairs and concerns of said company, shall be managed and conducted by seven directors, one of whom shall be president thereof, and who shall hold their offices for one year, and until others are chosen. All elections for directors for said company shall be held on the first Monday of August, of each and every year, at Edinburgh, in the county of Sangamon; of which

Election

election public notice shall be given, by publication for at least ten days in some newspaper printed in the town of Springfield, in said county; and said election shall be made by ballot, by a majority of the stockholders present, allowing one vote to each share of the capital stock; *Provided*, That no stockholder shall be allowed more than thirty votes; and that absent stockholders may vote by proxy; and further, that should said directors not be chosen on the first Monday in August as aforesaid, it shall be lawful to choose them on any other day, in the manner herein prescribed.

SEC. 7. The directors shall meet as soon after they have been chosen as may be, and choose out of their own body a president, who shall be sworn or affirmed faithfully to discharge the duties of his said office, and shall preside for one year, and until his successor shall be appointed and qualified; and in case of the death, resignation, or inability to serve, of the president or any director, such vacancy or vacancies shall be filled for the remainder of the year in which they happen, by a special election for that purpose, to be held in the same manner as hereinbefore directed respecting annual elections of directors; *Provided*, That the president may appoint, by a writing under his hand and seal, some one of the directors to preside in his stead, during any temporary absence on his part, from the board.

SEC. 8. The president and four directors, or five directors in the absence of the president, shall be a board competent to the transaction of business, and all questions before them shall be decided by a majority of votes; and the said corporation shall have power to make and prescribe such by-laws, rules and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate and effects of said company, and the transfer of the stock, and touching the duties and conduct of their officers, clerks and servants, necessary for carrying on their said business, and whom they are hereby authorized to appoint to be paid such salaries or wages, as to said board may seem right and proper; *Provided, always*, That such by-laws, rules and regulations shall not be in violation of the constitution or laws of the United States, or of this State.

SEC. 9. Any two or more of the persons named in this act, are hereby authorized to call a meeting of said company, by advertising the same for two weeks successively, in some newspaper printed in Springfield or Alton, to be held in the town of Springfield, for the purpose of electing their first board of directors; and said directors, when elected, shall choose a president as hereinbefore provided, and shall continue in office until the first Monday in Au-

Directors to meet & choose a president

Fill vacancies

By-laws

Salaries

Notice of electing directors

Void

gust, in the year of our Lord then next ensuing, and until others shall be chosen in their stead; *Provided, however,* That this charter shall be void and of no effect, unless put into operation agreeably to its provisions and terms, within eighteen months after the passage of this act; *And provided further,* That the place of holding the annual elections for directors may at any time be removed by a majority of the board of directors, from the town of Edinburgh, and fixed at said place as said directors may select for that purpose.

Where located

SEC. 10. The said Manufacturing Company shall be located and kept in the town of Edinburgh; and the meetings of said company shall be held at that place, unless a majority of the directors should select some other place as more appropriate to the general purposes of the company.

Company to keep books of accounts, &c.

SEC. 11. The said company shall at all times keep proper books of account, in which shall be registered all the transactions of said corporation; and it shall be the duty of the said directors to make annual dividends, or at such other times as a majority of them may direct, of the profits of said company; and the said directors shall at least, every six months, exhibit a full and complete statement of debts and credits, and such other matters as may be deemed essential, relating to the affairs of the company.

Act a public act

SEC. 12. This act is hereby declared a public act, and shall take effect from and after its passage, and shall be liberally construed for every purpose herein contained, and the corporation hereby created shall have continuance for the term of twenty-five years from and after the passage of this act, unless sooner dissolved by reason of a failure to commence operations within eighteen months from the passage of this act, as hereinbefore required, or for a violation of any of the provisions of this act; *Provided,* That said corporation shall not be dissolved, nor this charter forfeited, for, or by reason of any errors, omissions, or irregularities of said company, or its agents, not in violation of any of the provisions of this act.

APPROVED 4th March, 1837.

In force March 4, 1837.

AN ACT to incorporate the Cairo City and Canal Company,

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Darius B. Holbrook, Miles A. Gilbert, John S. Hacker, Alexander M. Jenkins, Anthony Olney, and William M. Walker, their

associates, successors, and assigns be and they are hereby made a body corporate and politic, under the name of the "Cairo City and Canal Company;" and by that name shall be and are hereby made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in any court or place whatsoever, to make and use a common seal, the same to alter and renew at pleasure; and by that name and style be capable in law of contracting and being contracted with, purchasing, holding, and conveying real and personal estate for the purposes and uses of said corporation as hereinafter limited, and shall be and are hereby vested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes and object of this act, as hereinafter set forth. The real estate owned and held by said company shall not exceed the quantity of land embraced in fractional township seventeen, in Alexander county, and the said corporation are hereby authorized to purchase said land, or any part thereof; but more particularly the tract of land incorporated as the city of Cairo, and may proceed to lay off said land, or any part of the land of said township seventeen, into lots for a town, to be known as the city of Cairo; and whenever a plan of said city is made, the company shall deposit a copy of the same, with a full description thereof in the recorder-of-deeds' office for the county of Alexander, and any and all additions which the said company may make thereto at any time thereafter shall be also recorded in the same manner; and the said corporation may construct dykes, canals, levees, and embankments for the security and preservation of said city and land, and all improvements thereon from all and every inundation which can possibly effect or injure the same; and may erect such works, buildings, and improvements which they may deem necessary for promoting the health and prosperity of said city, and for draining said city, and other purposes. Said corporation may lay off and construct a canal to unite with Cash river, at such points on said river as the company may deem most eligible and proper; and may use the water of said river for said canal, running to and through the said city of Cairo, as said company may direct. The corporation may lay out said canal not exceeding ten rods wide through its whole length, and may take as much more land as may be necessary for the convenient use of said canal and river for tow-paths, locks, and dams, stone, gravel and embankments: *Provided,* That all damages that may be occasioned to any person or corporation, by the taking of such lands or materials

Corporation
created
Power & priv-
ileges

for the purposes aforesaid, shall be paid for by said corporation in manner hereinafter provided.

Capital stock

SEC. 2. The capital stock of said company shall consist of twenty thousand shares, and no greater assessment shall be laid upon any share in said company of a greater amount than one hundred dollars each share. And the immediate government and direction of the affairs of said company shall be vested in a board of not less than five directors, who shall be chosen by the members of the corporation, in manner hereinafter provided, and shall hold their office until others shall be duly elected and qualified to take their places as directors. And the said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their members to be president of the board, who shall also be president of the company; and may also elect in the same manner a vice president of the company; and have authority to choose a secretary who shall be sworn to the faithful discharge of his duty, and a treasurer, who shall give bond to the corporation, with sureties to the satisfaction of the directors, in a sum not less than twenty thousand dollars, for the faithful discharge of his trust; and appoint such other officers and agents as to them may seem necessary.

Directors chosen who may elect all officers

Treasurer to give bond

SEC. 3. The president and directors, for the time being, are hereby authorized and empowered by themselves or their agents to execute all powers herein granted to the company, and all such other powers and authority for the management of the affairs of the company not heretofore granted as may be proper and necessary to carry into effect the objects of this act, and to make such equal assessments from time to time on all shares of said company as they may deem expedient and necessary, and direct the same to be paid to the treasurer of the company, and the treasurer shall give notice of all such assessments; and in case any subscriber shall neglect to pay his assessment for the space of thirty days after due notice by the treasurer of said company, the directors may order the treasurer to sell such share or shares at public auction, after giving due notice thereof, to the highest bidder; and the same shall be transferred to the purchaser, and such delinquent subscribers shall be held accountable to the company for the balance; if his share or shares shall sell for less than the assessment due thereon, with interest and cost of sale; and shall be entitled to the overplus, if his share or shares shall sell for more than the assessment due with interest and cost of sale: *Provided, however,* That no assessment shall be laid upon any share in said company of a greater amount, in

Treasurer to give notice of assessment

May sell shares at auction

Proviso.

the whole, than one hundred dollars: *and Provided, also,* Proviso
 That nothing shall be construed as to invest said company with banking powers as to authorize them to make, emit, or alter any bank note, or other thing to be used as a circulating medium, as or in lieu of money. But this proviso shall in no wise be so construed as to prevent Proviso not to be construed
 said corporation from borrowing money upon pledge or security of its property, and using the same in the promotion of their business in the construction of the works and improvements as authorized under this act.

SEC. 4. The company shall have power to ordain Company to make by-laws
 and establish all such by laws, rules, and regulations and ordinances, as they may deem expedient and necessary to accomplish the designs and purposes, and to carry into effect the provisions of this act and for the transfer and assignment of its stock, and the conveyance of property, and the well ordering, regulating, and securing the interests and affairs of said company: *Provided,* The Proviso.
 same be not repugnant to the constitution and laws of the State, or of the United States.

SEC. 5. A toll is hereby granted and established for the Toll granted to company
 benefit of said company upon all passengers, and property of all descriptions, which may be conveyed or transported upon the canal of the company upon such terms as may be agreed upon and established from time to time by the directors of said company: *Provided, however,* Proviso.
 That the nett income, or receipts from tolls, shall not amount to more than eight per cent. per annum, upon the amount expended upon said canal, and the improvement of "Cash River:" *Provided further,* Proviso
 That so far as the said Cash River is rendered navigable by any dams, said company may construct on said river, the same shall be open, as now, for the free use of all persons: *Provided, also,* Proviso.
 That the said company shall not be authorized by this act to erect or construct any dam or dams upon or across Cash River for the purposes aforesaid, until they shall first have obtained the consent of the county commissioners' court in Alexander county, which consent, so obtained, shall be entered upon the records of said court; and whenever the route of said canal shall be located, the company shall have recorded a plan and description thereof in the office of recorder of deeds, and the office of said county commissioners' court in Alexander county.

SEC. 6. The said company shall be holden to pay all damages that may arise to any person or corporation by Company to pay damages, &c
 taking their land for said canal, or any other purpose, when it cannot be obtained by voluntary agreement, to be estimated and recovered in the manner provided by law,

for the recovery of damages happening by laying out highways.

Guardian may release damages in certain cases
SEC. 7. When the lands, or other property or estate, of any feme covert, infant, or person non compos mentis, shall be wanted for the purposes and objects of the company, the guardian of said infant or person non compos mentis, or husband of such feme covert, may release all damages and interest for and in such lands or estate taken for the company as they might do, if the same were holden by them in their own right respectively.

Persons doing injury to work of corporation subject to pay for
SEC. 8. If any person shall wilfully do, or cause to be done, any act or acts whatever, whereby any building, construction, or work of said corporation, or any engine, machine, or structure, or any matter or thing appertaining to the same, shall be stopped, obstructed, impaired, weakened injured, or destroyed, the persons so offending shall be deemed guilty of a misdemeanor, and shall forfeit and pay to said corporation treble the amount of damages sustained by means of such offence or injury, to be recovered in the name of said corporation, with costs of suit by action of debt, and shall be subject to indictment and punishment for high crimes and misdemeanors, as in other cases.

Time & place of meeting for company
SEC. 9. The annual meeting of the members of said company shall be holden on the first Monday in November, in each year, at Cairo, or such other places as the directors, for the time being, may appoint, at which meeting the directors shall be chosen by ballot, each proprietor being entitled to as many votes as he holds shares. And the first named individual, in the first section of this act, is hereby authorized to call the first meeting of the said company, by giving notice in some newspaper published at the place where said meeting is to be held, of the time, place, and purpose of said meeting, at least ten days before the time mentioned in said notice.

Notice to be given
SEC. 10. This act shall be deemed and taken as a public act, and as such shall be taken notice of by all courts of justice in this state without the necessity of pleading the same, and shall be in force from and after its passage.

Act deemed a public act
SEC. 11. This act shall continue in force for the term of twenty-five years from the passage thereof; and during that time, upon any departure from or violation of the provisions of this act, the legislature may repeal, alter, or modify the same as in their judgment the public good may require.

SEC. 12. The privileges herein granted shall cease, the corporation herein created be dissolved, and this act

be null and void, unless twenty thousand dollars be expended in the construction of said canal within five years.

APPROVED 4th March, 1837.

AN ACT to incorporate the towns of Greenfield and Whitehall, in Green In force March
county. 4, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the following district and the inhabitants within the same, which includes the town of Greenfield, in the county of Green, to wit: beginning at the southeast corner of lot number thirty-two, and designated on the plat of said town, and thence running east, west, north; and south, so as to include three-fourths of a mile square, be and the same is hereby constituted a body politic and corporate, by the name and style of "the trustees of the town of Greenfield," whose powers and duties and manner of organization in all respects whatsoever, shall be agreeable to those specified and authorised in an act entitled "an act to incorporate the inhabitants of such towns as may wish to be incorporated," approved February 12th, 1831, and those contained in "an act further defining the powers and duties of trustees of incorporated towns," approved January 31st, 1835,

Corporation
constituted a
body politic
and corporate
Powers and
duties

SEC. 2. The county commissioners' court of the said county of Green are authorised to cause a special election to be held in the said town for one justice of the peace, and one constable, on the third Saturday of June next; which election shall be conducted agreeably to the provisions of "an act to provide for the election of justices of the peace and constables," and the said justice of the peace and constable when elected, shall hold their offices until the next general election to be held by the provisions of the above recited act: at which time and quadrennially thereafter there shall be one justice of the peace and one constable elected as in other districts in said county by the qualified voters of the said town of Greenfield. The county commissioners court for said county are hereby authorised, whenever they may deem proper, to extend the boundary of said district for the election of a justice of the peace and constable.

Com. court to
cause a spec a
election

Term of office

Can extend
boundary

SEC. . . That the county commissioners' court of the said county of Green are also required and is hereby authorised to order and direct a special election to be held

County com.
to cause a spe
cial election

In the town of White Hall, for one additional justice of the peace and for one constable for said town; which election shall be held on the seventeenth day of June next, or within ten days thereafter, to be conducted according to the provisions of the law recited in the foregoing section of this act; and the officers so elected shall hold their offices until the quadrennial election for justices of the peace and constables, in the year one thousand eight hundred and thirty-nine, and shall be governed in all respects and be under the same laws and regulations as other justices of the peace and constables in this state; and hereafter at each subsequent quadrennial election there shall be elected two justices of the peace and two constables in the said town of White Hall.

APPROVED 4th March, 1837.

In force 4th March, 1837. AN ACT to incorporate the Rector Steam Mill Company, in Hamilton county.

Corporation created and their privileges

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That all such persons as shall hereafter become subscribers to the stock hereinafter described, shall be and they are hereby constituted and declared a body politic and corporate, by the name and style of "The Rector Steam Mill Company," from and after the passage of this act, and by that name they and their successors shall have succession; and shall in law be capable of suing and being sued, pleading and being impleaded in all courts and places whatsoever; may have a common seal and alter the same at pleasure; and they and their successors may, also, by that name and style be capable in law, of purchasing, holding, and conveying away real and personal estate for the uses and purposes of said corporation; which real estate shall not exceed one hundred and sixty acres of land, whereon to erect the necessary enclosures for carrying on the business of the company.

Can have power to erect steam mill &c.

SEC. 2. The said company hereby incorporated, shall have power to erect a steam mill in the county of Hamilton, and are hereby authorised to carry on the manufactory of flour, corn-meal, wool, hemp, and other manufactures; to export the same and other products of the country, and to use all such powers and privileges as may be necessary to carry on the said manufactory, according to the objects of this act, as herein expressed.

SEC. 3. The capital stock of said company shall consist

of thirty thousand dollars, to be divided into six hundred Capital stock shares of fifty dollars each.

SEC. 4. The general place of meeting for said company shall be at McCleansboro', in this state; but the president and directors of said company may select such other place of meeting, as to them may seem most convenient and expedient.

SEC. 5. For the purpose of carrying into effect the object of this corporation, John Choisier, Achilles Coffee, James Gholson, Abram Irvin, William Johnson, and Gilbert Griswold are hereby appointed commissioners to obtain subscriptions to the capital stock of said company, and said commissioners, or a majority of them, after giving general notice thereof, in some newspaper printed in this state, may open books for the subscription of said stock at such times and places as they may direct, and keep the same open till at least two hundred shares are subscribed. If the requisite number of shares shall not be subscribed within thirty days after the books are opened, said commissioners, or a majority of them, shall take such measures for completing such subscriptions as they may deem expedient and proper. Every subscriber, at the time of subscribing shall pay to said commissioners one dollar for each share subscribed; and when such subscription is complete as aforesaid, or within sixty days thereafter, said commissioners, or a majority of them, shall call a meeting of the stockholders at McLeansboro', by a printed notice in some newspaper of general circulation, within this state.

SEC. 6. At said meeting the stockholders of said company shall proceed to elect five directors, who shall manage, direct, and govern the affairs of said company one year from the period of said election, and until their successors shall have been elected and qualified; and that at said election each stockholder shall be entitled to one vote for each share he may hold, and a majority of all the votes given shall be required to make an election. That the period of election of directors as aforesaid, shall be annually on the first Monday of the month in which the first election shall be held.

SEC. 7. Immediately after the directors are chosen as aforesaid, they shall hold a meeting, at which, and at all subsequent meetings of said board, a majority of the directors shall constitute a quorum. That they shall proceed to the election of a president from their own body, a secretary, who shall be sworn by a justice of the peace to the faithful discharge of his duty, and who shall record all votes of the corporation in a book by him kept for that purpose; a treasurer, who shall give bond to such amount, and in such manner as the said president and directors shall di-

Place of meeting for company

Com. to obtain subscriptions.

Notice to be given of time and place for receiving subscriptions

Stockholders to elect directors; &c.

Directors to elect all officers of corporation

rect, and the said board shall appoint all other officers and agents as to them shall seem proper and necessary.

President and directors to make by-laws

SEC. 8. Said president and directors shall have power to make and establish all such by-laws, rules, and regulations as shall be necessary, and not inconsistent with the laws of this state, and the provisions of this act, which may be necessary for the payment or collection of the subscriptions to its stock, and the transfer of the same and of property, or that in any other way may concern the management and direction of the affairs of said company.

Corporation not to be dissolved

SEC. 9. If it should happen that any election should not be made on the day when, by the provisions of this act, it should be made, the corporation shall not for that reason be dissolved; but such election may be held on any other day within twenty days thereafter, public notice being given by the directors thereof.

APPROVED 4th March, 1837.

In force 4th March 1837.

AN ACT to incorporate the St. Clair Silk Company.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Joseph Green, William H. H. Stuart, Edward Roslin Stuart, Alphonso D. Carlos Stuart, their associates, successors, and assigns, be, and they are hereby constituted a body politic and corporate, by the name of the "St. Clair Silk Company," and by that name shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of law and equity in this State; and to make, have, and use a common seal, and the same to alter and renew at pleasure; and shall continue and exist as such, from and after the passage of this act, for the term of twenty years.

Persons incorporated

Name

Have a seal

Duration

Authority granted

SEC. 2. The said company are hereby authorized to enter into, and carry on the cultivation of the mulberry, and all its varieties; to make silk therefrom; to manufacture the same into all the various articles of commerce, and to export the same; to erect mills, works, machinery, and such other buildings as may be necessary to carry on effectually their business; and to enter into all contracts which may concern the use and management of said property.

To erect mills, &c.

Capital stock, power to increase

SEC. 3. The capital stock of said company shall be fifty thousand dollars, with power to increase the same, at the

pleasure of said company, to any amount not exceeding one hundred thousand dollars.

SEC. 4. The stock, property, and concerns of said corporation shall be managed and conducted by five directors, who shall, or a majority of them, constitute a board, and be competent to the transaction of all business, and may, from time to time, make and prescribe such by-laws, rules and regulations, relative to the concerns of said corporation, as may be deemed by them necessary; and shall also regulate the duties of their agents and clerks, and all others by them employed.

SEC. 5. The aforesaid Joseph Green, William H. H. Stuart, Edward Roslin Stuart, Alphonso D. Carlos Stuart, shall be directors from the time this act takes effect, and until succeeded by others, who shall be elected by the stockholders or their proxies, on the second Monday in June next, and annually thereafter; but in case said election should not be so held, this charter shall not be forfeited; but an election may be held at any time within three months thereafter, on the call of any two stockholders, given in a newspaper printed in Belleville, St. Clair county, or in any other nearest the aforesaid place.

SEC. 6. Immediately after the directors are chosen as above, they shall hold a meeting, at which, and at all subsequent meetings, a majority shall constitute a quorum; they shall proceed to the election of a president from their number; a secretary, who shall be sworn by a justice of the peace to the faithful discharge of his duty, and who shall record all votes of the corporation in a book to be by him kept for that purpose; a treasurer, who shall give bond in such amount, and in such manner, as the said president and directors shall direct; and appoint such other officers and agents, as to them may seem proper.

SEC. 7. The capital stock of said company shall be divided into shares of one hundred dollars each, and each share shall be entitled to one vote.

SEC. 8. The establishment of said corporation for the cultivation and manufacture of the articles aforesaid, shall be located in St. Clair county, as the directors, or a majority of them, may deem most advantageous.

SEC. 9. That the general place of meeting for said company shall be at Belleville; but the president and directors of said company may select such other place as to them may seem fit, for the general purposes of said company, but not as permanent places.

SEC. 10. The corporation shall at all times keep proper books of account, in which shall be registered all the transactions of said corporation; and it shall be the duty of said directors to make annual dividends, or at such other times

Statements to be exhibited as a majority of them may direct, of the profits of said company; and the said directors shall, at least every six months, exhibit a full and complete statement of debts and credits, and such other matters as may be deemed essential relating to the affairs of the company.

Real estate may be held **SEC. 11.** The corporation hereby created by this act shall be capable, and are hereby authorized to purchase, hold, and convey, any estate, real and personal, or mixed, that may be necessary to enable them to carry on, efficiently, its business, as defined in this act, and for no other purpose whatever.

Stock deemed personal property **SEC. 12.** The stock of said company shall be deemed personal property, and assignable and transferrable on the books of the corporation; but no stockholder indebted to the corporation shall be permitted to make a transfer, until such debt be paid to the satisfaction of said directors.

APPROVED 4th March, 1837.

In force March 4, 1837. AN ACT to incorporate the Beardstown and Springfield Rail Road company.

Names of commissioners. **SEC. 1.** *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That Thomas Wilborn, William W. Ball, William Bassett, Isaac C. Spencer, N. B. Thompson, and B. W. Schneider, of Beardstown, H. H. Hall, Reddick Horn, Amos S. West, Robert Crawford, and Stephen Lee, of Morgan county, John B. Broadville, Elijah Hles, Archer G. Herndon, Wharton Ransdell, Henry B. Truett, Peter Vanbergen, Jesse B. Thomas, and Bela C. Webster of Springfield, and all such persons as shall become stockholders according to the provisions of this act, shall be and they are hereby constituted a body corporate by the name of the Springfield and Beardstown Rail Road Company, and shall continue for the term of fifty years, from and after [the passage of] this act.

Stockholders constituted a body politic & corporate.
Name of corporation.

Right to construct a single or double rail way track.

SEC. 2. The corporation shall have the right and power to construct, and during its existence to maintain and continue a single or double rail road or way, or a single or double track way, with such appendages and appurtenances as may be necessary for the convenient use of the same, from Springfield in the county of Sangamon, and running thence to such point in the town of Beardstown on the Illinois river, now in the county of Morgan, as the directors of said company shall direct, to transport, take, and carry persons and property on the same, by the power and force of steam, of animals, or any mechanical or

other power, or by a combination of them, as said company shall choose to employ, and by their names aforesaid, they are vested with the right and privilege of erecting, building, and making a single or double rail road or way, or a single or double track way, for the purpose aforesaid, and the right of using the same in the manner hereby provided for, and during the term of fifty years.

SEC. 3. If the said corporation hereby created, shall not within four years from the passage of this act, construct, finish, and put in operation the single or double rail road or way, or track way, then the said corporation shall forever cease, and this act shall be null and void.

When to be constructed.

SEC. 4. The capital stock of said corporation hereby created, shall be two hundred thousand [dollars,] with liberty for said company if they shall deem it necessary, to increase the same to any amount which they may think necessary to finish the work, which shall be divided into shares of fifty dollars each, and which shall be transferrable in such manner as said corporation may direct, and the same shall be deemed personal property.

Amount of capital stock.

Divided into shares and transferrable.

SEC. 5. Thomas Wilborn, William W. Babb, William Bassett, Isaac C. Spencer, N. B. Thompson, H. H. Hall, Reddick Horn, Amos S. West, Robert Crawford, Stephen Lec, John B. Broadville, Elijah Iles, Archer G. Herndon, Wharton Ransdall, Henry B. Truett, Peter Vanbergen, Jesse B. Thomas, and Bela C. Webster of Springfield, shall be the commissioners, the duty of whom or a majority of whom, it shall be, within one year from the passage of this act, at the towns of Springfield, Virginia, and Beardstown, or in any other towns, cities, or places as said company may deem expedient, to open books and receive subscription to the capital stock of said corporation, and twenty days public notice of the time and place of opening such books shall be previously given in the newspapers printed in Springfield or elsewhere; and the said commissioners shall at the time of subscription by any person or persons for the capital stock of said corporation, require the payment to them, by the person or persons so subscribing, of five dollars towards and upon every share of fifty dollars so subscribed, and unless the same shall be paid, the subscription shall be invalid; and in case a greater amount of Capital stock shall be subscribed than two hundred thousand dollars, the said commissioners may either retain the subscription as an enlargement of the capital stock; *Provided*, Said subscriptions do not exceed the cost of said rail road, or track way, or shall distribute the stock in such a manner as a majority of them, may think most advantageous to the interest of said company; but in case the capital stock

Commissioners to open books and receive subscription.

Proviso.

Commissioners should [not] be subscribed for, that the said company shall be authorized to reopen said books for the subscription of stock at such time and places, and in such manner, and after such notice as they or a majority of them shall direct.

To give twenty days notice to meet.

SEC. 6. Whenever said capital stock shall have been subscribed and distribution thereof made as aforesaid, or as soon as twenty-five thousand dollars of said stock shall be taken, it shall be the duty of the said commissioners to give twenty days public notice in some newspaper printed in Springfield, for a meeting of the stockholders of said company, to meet in Springfield to choose nine directors, and such election shall then and there be made, by such of the stockholders as shall attend either in person or by lawful proxy. Each share of the capital stock owned ten days previous to the day on which any election for directors shall take place, shall entitle the owner and holder to one vote either personally or by proxy; said commissioners shall be inspectors of the first election of directors of said company, and shall certify under their hands, the name of those duly elected, and deliver over the subscription money, books, and papers to said directors, and the time of holding the first meeting of said directors shall be fixed by the said commissioners.

Election of directors.

Cause a survey of route for road.

SEC. 7. The said directors shall cause such examination and surveys for the said rail road or track way [to] be made as may be necessary to the selection by them, to the most advantageous line, course or way, for the said rail road or track way, on the route set forth in the second section of this act, and shall after such examinations and surveys shall be made select, and by certificates under their hands and seals, designate the line, course or way, which they or a majority of them shall deem most suitable, and advantageous for said rail road or trackway. One report of surveys, courses, and distances, with a certificate of the directors annexed thereto, shall be filed in the office of the recorder of the counties of Morgan and Sangamon, and by them recorded and preserved, which line, course, or way, so selected, certified, filed, and recorded, shall be deemed the line, course, or way, on which the said corporation shall construct, erect, build, or make the rail road, or track way above described.

Report a survey of route.

To be filed & recorded.

Term of office.

SEC. 8. The first directors to be chosen shall hold their offices until the first Monday in June, in the year next succeeding their election, and until others shall be chosen, and every election of directors thereafter, shall be held annually at Beardstown on the first Monday of June, in each and every year, notice of the same being first given twenty days previous thereto, in a public newspaper

Election when held.

printed in Beardstown or Springfield. Every election shall be held under the inspection of the stockholders not being directors who shall be previously appointed by the board of directors. All elections shall be held by ballot, and a plurality of votes given shall constitute a choice. No stockholders shall be eligible to the office of director, unless he shall own stock to the amount of at least one hundred dollars. In case an equal number of votes shall be given for any two or more for directors, the remainder of the directors shall by ballot determine who shall be entitled to a seat at the board.

SEC. 9. In case it should at any time happen that an election of directors shall not be made on any day pursuant to this act it ought to have been made, the corporation shall not for that cause, be dissolved, but such election may be held at any other time directed by the by-laws of the corporation, within sixty days after the day on which such election should have been held, and the directors shall continue to act until a new board is elected.

Corporation not to be dissolved for failure to elect.

SEC. 10. The corporation is hereby empowered to purchase, receive, and hold such real estate as may be necessary and convenient for the accomplishing the objects for which this act of incorporation is granted, and may, by their agents, surveyors, and engineers, enter upon and take possession of, and use all such lands and real estate, and materials, as may be indispensable for the construction and maintenance of their rail-road or trackway, and the accommodations and appurtenances required and appertaining thereto; and may also receive and take all such voluntary grants, donations of land and real estate, and materials for the purpose of said road, as shall be made to the said corporation by the general or state government, or by any corporation, company, or individual or individuals, to aid in the construction, maintenance, and accommodations of the said rail-road, or trackway, completely vesting in said company and corporation, absolutely in fee simple, the same; but all lands and real estate thus entered upon for materials or otherwise, which are not donations, or owned by the said company, shall be purchased by the said corporation of the owner or owners thereof, at a price to be agreed upon mutually by the company and the owner or owners, in case of disagreement as to the price; and before the taking any materials, or making any part of said road on said land in controversy, it shall be lawful for the commissioners, superintendant, or authorized person or persons of said company, to apply to some justice of the peace of the county in which such case may occur, who shall cause five freeholders to be summoned, who, after

May hold land, &c

May receive donations

Mode of procuring land to construct road on

being sworn faithfully and impartially to examine the materials or ground to be pointed out to them by the commissioners, superintendant or other authorized person or persons, and reasonable notice having been given to the owner of the property, said freeholders shall assess the damages which they believe such owner or owners shall sustain over and above the additional value which such land will derive from the construction of such road, and make a report, signed by at least a majority of them, one of which they shall deliver to the commissioners, superintendant, or other authorized person or persons, requiring said view and assessments, and the other to the justice of the peace; and the amount of damages and costs, being paid to the owner or owners which shall have been assessed, or deposited with the justice of the peace, the road may be continued, located, and materials taken. If either party shall be dissatisfied with the valuation, where lands are in question, an appeal may be taken within twenty days to the circuit court of the proper county by petition, setting forth the facts of the case, describing the lands and premises, and the necessity of such lands for making such rail-road or trackway, and the attempt and failure to purchase the same with the name and residence of the owner of the same, and the reason why the purchase cannot be made; and the circuit court aforesaid, sitting and acting as a court of chancery, shall direct such notice to the owner and parties as shall be deemed reasonable of the time of hearing of the parties: *Provided*, That in case the appellee shall have had seven days notice of the taking of an appeal, and no further notice shall be necessary; but said court shall proceed to hear and determine said cause as speedily as practicable, and upon proof of the service of notice of the appeal, and upon hearing the testimony of the parties, which may be taken orally or by deposition, it shall make such order and decree in the premises as to it may seem proper and equitable, and may either increase or diminish the amount of damages assessed, or reject said petition altogether, and shall also make such orders for the payment of costs as may be just and proper, and shall order a conveyance of the land in controversy to be made, when the decree shall be complied with on the part of the corporation. Whenever said order or decree shall be fully complied with on the part and in behalf of said corporation, it shall be possessed of the land in controversy, and enter upon and take possession of, and use the same for the purposes of said road. When a difficulty shall arise as to the value of materials, which may be needed to construct said work or the amount of damages

Damages assessed, and damages paid

Court to direct notice to be given

Proviso.

Court may order and decree in the premises

to land in collecting materials aforesaid, there shall [be] no appeal to the circuit court; but in case the parties, or either of them, shall be dissatisfied, and it shall appear to the justice that it is right and necessary, he may set aside the first valuation: *Provided*, The same shall be done in three days after said valuation, and appoint five other commissioners to appraise and value the materials or damages last aforesaid, whose award in the premises shall be final, and who shall apportion the costs as may appear just on one or both of the parties.

SEC. 11. In case any unmarried woman, infant, or idiot, or insane person or non resident of this state, who shall not appear after such notice, shall be interested in any such land or real estate, the circuit court or justice of the peace shall appoint some competent and suitable person to appear before said commissioners, or said circuit court, and act for and in behalf of such [un]married woman, infant, insane person, idiot, or non resident of the State.

SEC. 12. The said corporation is hereby authorized and empowered to regulate the time and manner in which goods, passengers, and property shall be transferred, taken and carried on said rail-road or trackway; and shall have power to erect and maintain toll-houses, and other buildings necessary for the accommodation of their concern, and from time to time fix, regulate, demand, and receive the tolls and charges by them to be received for transportation of passengers or property on said rail-road, or way, on said double or single trackway.

SEC. 13. Five directors of the said corporation shall form a board, and they, or a majority of them, shall be competent to transact all the business of the said corporation, and they shall have full force and power to make and prescribe all such rules, by-laws, and regulations as to them shall appear needful and proper, touching the management and disposition of the stock, property, and estate of said corporation, the transfer of shares, and touching the duties and conduct of their officers and agents, and election of directors, and all other matters whatsoever which may appertain to the concerns of said corporation. It shall also be lawful for said directors to require payment of the sums to be subscribed to the capital stock at such times, and in such proportions, and on such conditions, as they shall deem fit and right, under the penalty of the forfeiture of all previous payments thereon, and shall give notice of the payments thus required, and of the place and time, when and where the same are to be paid at least twenty days previous to the payment of the same, in some public newspaper printed at Springfield, or Beardstown,

SEC. 14. If any person, or persons, shall wilfully do, or cause to be done, any act or acts whatsoever, whereby any building, construction, or work of the said corporation, or any engine, machine, or structure, or any matter or thing pertaining to the same, shall be stopped, obstructed, impaired, weakened, injured, or destroyed, the person or persons, so offending, shall forfeit and pay to the said corporation treble the amount of the damages sustained by means of such offence or injury, to be recovered in the name of said corporation, with costs of suit, by action of debt, and shall likewise be subject to be indicted for injuries and offences against the property of said corporation, as for injuries or offences done to the property of individuals.

SEC. 15. It shall be lawful for any rail-road company, which may hereafter be incorporated, to join and unite with the rail-road or trackway hereby created and incorporated, at any point at which the directors of the company, hereafter to be created and incorporated, may think advisable, on such terms as the directors of the two companies may respectively agree upon; and in case of a disagreement between the directors of said companies, then, upon such terms as the circuit court of Sangamon county shall, upon a full view and hearing of all the facts connected with the case, determine to be equitable and just between said companies.

SEC. 16. The corporation hereby created, under the name of the "Springfield and Beardstown Rail-road Company," shall have the right to sue in any court of law or equity in this state, having jurisdiction of the case; and prosecute the same to judgment and recovery, and defend, when sued, plead and be impleaded, both at the law and in chancery, and shall be entitled to all the privileges and rights which such a corporation, by the common or statute laws governing the case, ought and should of right have; and may have a common seal, which they may alter and change at their pleasure. The whole of the stock of the corporation shall be deemed personal property; and together with all tools, implements, machinery, and apparatuses of every description, used and employed, or on hand, and belonging to said company, shall be liable to be seized, executed, and sold, after judgment or decree, to make good any contract, agreement, or stipulation, made by any agent, superintendent or other authorized person or persons of said company; and it shall be a sufficient service of process or notice in all cases, to leave a copy of the same with the president of the board of directors, or the secretary of the company, or in case of his absence from the county, to leave a copy of the same at the office thereof.

APPROVED 4th March, 1837.

AN ACT to Incorporate the Shelby Steam mill Company.

In force March 4, 1837

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That William Fitzhugh Thornton, Marshall W. Basey, and John S. Gordon, and their associates, successors, and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of "The Shelby Steam Mill Company," for the more convenient ownership and management of a steam mill, in the county of Shelby, and the transaction of the usual business of companies engaged in milling. And the said corporation, by the said name, is declared and hereby made capable in law, to sue and be sued, to plead and be impleaded, to have a common seal, and the same to renew and alter at pleasure; to make rules and by-laws for the regulations and management of said corporation, consistent with the laws of this state, and generally to do and execute whatever by-laws shall appertain to such bodies politic: *Provided,* That nothing herein contained shall be considered as conferring on the said corporation any banking privileges. But they shall be confined to the operations directly connected with milling, and the construction of the necessary buildings and machinery; and each and every stockholder shall be, in his individual capacity, liable for the debts and performance of all contracts entered into by said corporation, to the amount of the balance unpaid on the stock of such stockholders.

Constituted a body corporate and politic

May have seal

Proviso

Capital stock shall not exceed \$20,000

SEC. 2. The said corporation shall have the right to hold, possess, and enjoy, not exceeding ten acres of millage land and two thousand acres of timber land; and the whole of the capital stock shall not exceed in value, the sum of twenty thousand dollars, and shall be divided into shares of one hundred dollars each; which capital shall be employed in purchasing and holding the land aforesaid, and in constructing and employing buildings and such improvements and machinery as may be necessary or useful in milling. Every member of said company shall have a certificate, under the seal of the corporation, and made and attested in such manner and form, as the by-laws shall direct, certifying his property in the share or shares owned by him; and the stock of said company shall, in the nature of personal property, be assignable and transferrable according to such rules as the board of directors shall establish; and no stockholder indebted to the company shall be permitted to make a transfer or receive a dividend until such debt is discharged, or security given for the same, to the satisfaction of the directors.

Certificate

To be assignable and transferrable

SEC. 3. For the management of the affairs of the said corporation, there shall be chosen from the stockholders

Directors to be chosen five directors, who shall hold their offices for one year, or until superseded by others. Thirty days previous notice by publication once a week, for one month, in the newspaper in or nearest to the town of Shelbyville, in the county of Shelby, shall be given of the first election of directors; and there shall be annually thereafter a like election of directors at the town of Shelbyville. In all such elections for directors, every share shall be entitled to a vote, whether it be held by an individual or individuals: which vote may be given by the holders or by proxy, duly authorised under seal, and a majority of the shares shall be necessary to a choice of directors, or to the transaction of any business which may concern the company and come before the stockholders.

Majority to form a quorum **SEC. 4.** A majority of the directors shall form a quorum to transact business, and they shall meet within thirty days from the time they shall have been chosen at Shelbyville, and choose by ballot one of their number for president, who shall serve for one year, or until superseded by a new election; and there shall be annually after the said election, a like election at Shelbyville, by the directors, for the time being, of a president for said corporation. The said directors shall also have power to choose and appoint such other officers and agents, to conduct and prosecute the business of said corporation, as they shall deem necessary and proper; and they shall also have power, for good cause, to be entered, together with the proof thereof, in their minutes, to remove the president of said company from office. The said directors shall cause to be kept duly recorded in books to be provided and kept for the purpose, minutes of all their proceedings and regular accounts of their transactions, as also minutes of the proceedings of the stockholders at each of their meetings: which books may, at any time, be inspected by any of the stockholders. The said directors shall have power to supply any vacancy which may occur in the office of president or in their own body: and the president or directors thus appointed shall hold the office until the next annual election of such officers.

Can assess **SEC. 5.** The directors may, from time to time, at any meeting, assess and require payment of such sum of money, not exceeding fifty per centum upon each share of stock as shall be judged necessary for the purposes of the corporation, to be paid at Shelbyville, to such person as the said directors may designate and authorise to receive the same. And if after publication of notice, once a week, for two months, in the newspaper at or nearest to Shelbyville, of the time of payment and of the person appointed to receive the same of any proprietor or instalment of said

Notice how given

capital stock, any stockholder shall fail to pay his instalment at the time specified in said notice, the amount paid by such delinquent stockholder previously shall be forfeited to the company, and his stock may be sold to any person for such price as may be agreed upon between the said company and the purchaser.

Individual stock may be sold

SEC. 6. The stock of said company shall pass in the same manner as personal estate, to the representatives of each stockholder.

Stock may pass

SEC. 7. Service of process on the president of said company shall be deemed and taken as sufficient service on the corporation, in any suit which may be instituted against it, and for any violations of any of the provisions of this act the said incorporation shall be held to answer by scire facias, in the Shelby county circuit court; and if, upon the trial thereof, it shall appear that such violations have been committed, and it shall be so found, the said court may and shall give judgment revoking this charter. Any such proceedings by scire facias for such violations shall be instituted and prosecuted in the name of the people of the state of Illinois against the said corporation.

Scire facias

APPROVED 4th March, 1837.

AN ACT to incorporate the Webster, Ottawa and Kishwaukee Rail Road Company.

In force March 4, 1837

SEC. 1. *Be it enacted by the people of the State of Illinois; represented in the General Assembly,* That all such persons as shall become stockholders, agreeably to the provisions of this act, in the corporation hereby created, shall be, and for the term of forty years, from and after the passage of this act, shall continue to be a body corporate and politic, by the name of the "Webster, Ottawa & Kishwaukee Rail Road Company," and by that name shall have succession for the term of years above specified, may sue and be sued, complain and defend in any Court of law or equity, may make and use a common seal and alter the same at pleasure, may make by-laws, rules and regulations for the management of its property, the regulation of its affairs, and for the transfer of its stock, not inconsistent with the existing laws and the constitution of this state, and of the United States; and may moreover appoint such subordinate agents, officers and servants, as the business of the said corporation may require and allow to them a suitable compensation, prescribe their du-

Corporation in force forty years.

May make by-laws and have a common seal; &c.

ties and require bond for the faithful performance thereof, in such penal sums and with such sureties as they may choose, who shall hold their offices during the pleasure of a majority of the directors of said corporation.

May construct
a rail road.

SEC. 2. The said corporation shall have the right to construct, and during its continuance to maintain and continue a rail road, with a single or double track, and with such appendages as may be deemed necessary for the convenient use of the same, from some eligible point at or near the town of Bloomington, in the county of McLean, or north of said town, on the central rail road to Webster, Ottawa, Kishwakee, and from thence in a northerly direction to intersect the Galena and Chicago Rail Road, at such point as shall be determined after a survey shall have been made of the route to be proper and convenient therefor.

Amount of
Capital Stock.

SEC. 3. The capital stock of said corporation shall be five hundred thousand dollars, which shall be deemed personal property and shall be divided into shares of one hundred dollars each. The capital stock of said corporation may at any time hereafter be increased to a sum not exceeding one million of dollars, if the same shall be judged necessary to the completion of the said work, and the same shall be subscribed for and taken under the direction of the directors of said corporation, whenever they shall direct one or more books to be opened for such purposes, and shall be subscribed and taken in such manner as the directors of said corporation for that purpose shall order and appoint.

Capital Stock
may be increas-
ed &c.

SEC. 4. James Allen, E. D. Taylor, Theophilus W. Smith, M. L. Covell, David Davis, Franklin Brattan, Henry Green, Jacob Moon, William Stadden, Henry Madden, Thomas R. Coles, John F. Henry, Ebenezer Peck, John J. Stuart, and J. W. Fell, shall be commissioners for receiving subscriptions to the capital stock of said corporation, who shall give notice within twelve months after the passage of this act, of the time and place where books will be opened, at Ottawa and Bloomington, and such other places as they may deem necessary, in some public newspaper printed in this state, at least thirty days previous to the opening such books, for the receiving subscriptions to the capital stock of said corporation. The majority of the commissioners shall attend at the times and places appointed by such notices for the opening of the books, and shall continue to receive such subscriptions to the capital stock of the said corporation, from all persons who will subscribe thereto, until the whole amount thereof shall have been subscribed, when the said books shall be closed: Each subscriber at the time

Commissioner
to give notice
of the time and
place of open-
ing books.

of subscribing shall pay to the commissioner one dollar on each share of the stock subscribed for by him, and the said commissioners shall, as soon as the directors are elected deliver to them the whole amount so received.

Amount to be paid by subscribers.

SEC. 5. The affairs of said corporation shall be managed by a board of seven directors, to be annually chosen by the stockholders from among themselves as soon as may be after the stock has been subscribed. The commissioners shall give notice of the time and place at which a meeting of the stockholders will be held for the choice of directors, and at such time and place appointed for that purpose, the commissioners or a majority of them shall attend and act as inspectors of said election, and the stockholders present shall proceed to elect their directors by ballot, and the commissioners present shall certify the result of such election, under their hands, which certificate shall be recorded in the books of the corporation, and shall be sufficient evidence of the election of the directors therein named. All future elections shall be held at the time, and in the manner prescribed by the by-laws and regulations of said corporation. Each stockholder shall be allowed as many votes as he owns shares at the commencement of each election, and a plurality of votes shall determine the choice, but no stockholder shall be allowed to vote at any election after the first, for any stock which shall have been assigned to him, within thirty days previous to the day of holding such election. The said directors shall hold their offices for one year after their election, and shall elect one of their number president of the said board.

Directors to be chosen.

Election to be held & certificate recorded.

Term of office.

SEC. 6. The said corporation is authorised to construct, make and use a single or double rail road or way, of suitable width and dimensions, to be determined by said corporation, on the line, course or way which may be designated and selected by the directors as the line, course or way whereon to construct and make the same; and shall have power to regulate the time and manner in which goods, effects and passengers shall be transported, taken and carried on the same, and to prescribe the manner in which the said rail road shall be used, by what force the carriages to be used thereon may be propelled, and the rates of toll on the transportation of persons or property thereon; and shall have power to erect and maintain houses, toll gates and other buildings, for the accommodation and management of the said road, and transport thereon as may be deemed suitable to their interest. And it shall be lawful also for the said corporation to unite with any other rail road company already incorpo-

Corporation may construct a rail road.

May construct toll gates, &c.

rated, or which may be incorporated upon any part of the route of the said rail road, upon such terms as may be agreed upon by the directors of said companies.

Corporation
may borrow
money.

SEC. 7. It shall be lawful for the said corporation to commence the construction of said rail road or way, at such points on any part of said route or routes, as in its judgment may appear expedient and proper. Said corporation are authorised to borrow any sum of money which may in their discretion be deemed necessary, not exceeding its capital stock, to aid in the construction of said roads.

May appropri-
ate certain
lands.

SEC. 8. In case the corporation shall not be able to acquire the title to the lands through which the said road shall be laid, by purchase or voluntary cession, it shall be lawful for said corporation to appropriate so much of said lands as may be necessary for its own use, for the purposes contemplated by this act, on complying with the provisions of the six following sections.

Directors may
present a peti-
tion.

SEC. 9. The directors may present a petition to the Judge of the circuit court of the county, in which the said land may be situated, setting forth by some proper description the lands which are wanted for the construction of said rail road, or the appendages thereto, and the names of the owners thereof, if known, distinguishing with convenience if it can be done, the parcels claimed severally by the respective owners, and praying for the appointment of appraisers to assess the damages which the owners of such land will severally sustain, by reason of the appropriation thereof, by the said corporation, to its own use.

Circuit Judge
to direct notice
to be given, &c

SEC. 10. On the presentment of said petition, said circuit judge shall appoint a day for the hearing of the parties in interest, and shall direct such notice as he shall deem reasonable to be given of the time and place of hearing; and in case it shall appear that any of the owners of said lands is a feme covert, an infant, or insane or otherwise incompetent [person] to take proper care of his or her interest, it shall be the duty of the said judge to appoint some discreet and reputable person to act in the premises, in his or her behalf.

Judge to ap-
point persons
to assess dam-
ages.

SEC. 11. At the time appointed for such hearing, the said judge shall appoint three disinterested persons, freeholders, residents of the county in which said lands may lie for the purposes of assessing such damages, and in the order in which they were appointed shall direct and specify what lands are proposed to be appropriated and occupied by said corporation for the purposes aforesaid

SEC. 12. Said appraisers, after being duly sworn by some Officer properly authorised to administer oaths, honestly and impartially to assess such damages, shall proceed by viewing said lands, and by such other evidence as the parties may produce before them, to ascertain and assess the damages which each individual owner will sustain by the appropriation of his land for the use or accommodation of such rail roads or their appendages.

Appraisers to assess damages

SEC. 13. The said appraisers shall make a report to the said judge, in writing under their hands, reciting the order for their appointment and specifying the several parcels described therein with all necessary certainty, the names of the owners of the respective parcels if known, and if not known, stating that fact and specifying also the damages which the owners of the respective parcels will sustain by reason of the appropriation of the same for the purposes aforesaid; and in case either of the parties is dissatisfied with the assessment, the said judge may, on hearing the parties, modify the assessment as to him shall appear just.

Appraisers to make report.

SEC. 14. On the payment of the damages thus assessed, together with the expenses of assessment, as the same shall be settled by said judge, or on depositing the amount thereof for the use of such owners, in such bank or monied incorporation as the said judge shall direct, the said corporation shall immediately become entitled to the use of the said lands, for the purposes aforesaid; and the report of the said appraisers with the order of the said judge modifying the same, if the same shall have been modified, shall be recorded in the office of the recorder of the county in which said lands shall be situated, in the same manner and the like effect as deeds are recorded, without any other proof than the certificate of the said judge that the report is genuine.

Corporation entitled to use land.

Report to be recorded.

SEC. 15. And when the said order shall have been so recorded as aforesaid, the said corporation shall be seized and possessed of such land or real estate, and may enter upon and take possession of, and use the same for the purposes hereinbefore recited.

Corporation to be possessed of land.

SEC. 16. Said corporation shall be bound to repair all public highways, bridges and water courses, which may be injured in constructing the said rail road, or its appendages, and shall restore them to as good a condition as they were in before they were injured.

Corporation to repair highways, &c.

SEC. 17. The said corporation shall be allowed three years from the passage of this act for the commencement of the construction of the said rail road, and in case the same shall not be completed within fifteen years thereafter, the privileges herein granted shall be forfeited.

Time allowed to commence & finish road.

Persons liable
to forfeitures.

SEC. 18. Any person who shall wilfully injure said road, or any appendages thereto, shall be guilty of a misdemeanor, and shall forfeit to the use of the corporation a sum equal to three times the amount of damages occasioned by such injury, to be recovered, with cost of suit, in the name of such corporation in an action of debt, before any court having cognizance thereof, or before any justice of the peace in the county where such injury or offence may have been committed.

Act a public
act.

SEC. 19. This act shall be deemed and taken as a public act, and shall be construed beneficially for all purposes herein specified or intended, and all copies thereof printed by or under the direction of the General Assembly of this State shall be received in all courts and places whatsoever, as sufficient evidence thereof without further proof.

APPROVED 4th March, 1837.

In force 4th
March, 1837

AN ACT to incorporate the Chicago and Michigan City Rail Road Company.

Body politic &
corporate crea-
ted.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all such persons as shall become stockholders agreeably to the provisions of this act, in the corporation hereby created, shall be, and for the term of forty years from and after the passage of this act, shall continue to be, a body corporate and politic, by the name of the "Wabash and Indiana Rail Road Company," and by that name shall have succession for the term of years above specified; may sue and be sued, defend and be defended, in any court of law and equity; may make and use a common seal; may make by-laws and regulations for the management of its property, the regulation of its affairs, and for the transfer of its stock, not inconsistent with the constitution of the United States, and of this State, and the laws thereof; and may moreover appoint such subordinate agents, officers and servants, as the business of the said corporation may require, and allow to them a suitable compensation, prescribe their duties, and require bond for the faithful performance thereof, in such penal sum, and with such sureties as they may choose, who shall hold their offices during the pleasure of a majority of the directors of said corporation.

Have a com-
mon seal, and
make by-laws

To appoint a-
gents, officers
and servants,
and prescribe
their duties

To construct a
rail road

SEC. 2. The said corporation shall have the right to construct and during its continuance to maintain and

continue a rail road with a single or double track, with such appendages as may be deemed necessary for the convenient use of the same, from the eastern boundary line of this State, at such point as may be selected, to such point at or near the town of Chicago, as shall be determined after a survey shall have been made of the route, not interfering with other routes heretofore given, to be most eligible and proper therefor.

SEC. 3. The capital stock of the said company shall be one million of dollars, which shall be deemed personal property, and shall be divided into shares of one hundred dollars each.

Capital stock
personal prop-
erty

SEC. 4. Francis C. Sheman, Hiram Pearson, Edmund D. Taylor, Charles V. Dyer and L. D. Boone, shall be commissioners for receiving subscriptions to the capital stock of said corporation, who shall give notice of the time and place of the opening of the books for subscriptions to said stock, and shall direct the manner in which the same shall be taken; a majority of said commissioners shall be sufficient to make a quorum of the board for such purposes.

Notice of the
time & place
of opening sub-
scription books

SEC. 5. The affairs of said corporation shall be managed by a board of seven directors, to be annually chosen by the stockholders from among themselves, as soon as may be after the stock has been subscribed, of which due notice shall be given; the commissioners, or a majority of them, shall attend for such purpose, and shall certify the persons elected, which certificate shall be sufficient evidence of their election; all future elections shall be held at the time, and in the manner, prescribed by the by-laws of said corporation; each stockholder shall be allowed as many votes as he owns shares at the time of such election. The said directors shall hold their offices for one year after their election, and shall elect one of their number president of said board.

How corpora-
tion managed

When and how
chosen

Term of office

SEC. 6. The said corporation shall have the right to construct said road, and shall have power to regulate the time and manner in which goods, effects, and passengers, shall be transported on the same, and the manner in which the same shall be used, by what force the carriages to be used thereon may be propelled, and the rates of toll on the transportation of persons or property thereon; and shall have power to erect and maintain houses, toll-gates, and other buildings for the accommodation and management of the said road and transportation thereon.

Right to con-
struct and re-
gulate road

To erect toll-
gates

SEC. 7. In case the corporation shall not be able to acquire the title to land through which said road shall be laid, by purchase or voluntary cession, it shall be lawful for said corporation to appropriate so much of said lands as may be necessary for its own use, for the purposes con-

templated by this act, by three commissioners to be appointed by the circuit court of the county in which such lands may lie, valuing such lands and the damages the owner thereof may sustain by such appropriation thereof, and paying to the owner the amount thereof; said commissioners shall be sworn faithfully to appraise the value of the same, and on the payment of such value the lands shall vest in fee simple in said corporation.

SEC. 8. Said corporation are authorized to construct the said rail road across any water course, road, or other public highway, and shall be bound to repair all public highways and water courses which may be injured in constructing the said rail road, and shall restore them to as good a condition as they were before they were injured. This act shall be deemed and taken as a public act, and shall be construed beneficially for all purposes herein specified. The company chartered by this act shall be dissolved, and this act become null and void, unless the stock in said company shall be all taken, and twenty thousand dollars be expended in the construction of said road within five years:

APPROVED 4th March, 1837.

AN ACT to amend the act incorporating the Beardstown and Sangamon Canal Company.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That so much of the eighth section of the act entitled "An act to incorporate the Beardstown and Sangamon Canal Company," approved 28th of Dec., 1835, as required said company to file a copy of the map of the line or location of the canal, with the recorder of each county through which the canal passes; be, and the same is hereby repealed; and the first proviso to the tenth section of said act is also repealed:

APPROVED 4th March, 1837.

AN ACT to incorporate the Carrollton Steam Mill Manufacturing Company. In force March 4 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John Evans and all such persons as shall become subscribers to the stock hereinafter described, shall be and they are hereby constituted and declared a body politic and corporate, by the name and style of the "Carrollton Steam Mill Manufacturing Company," from and after the passage of this act, and by that name they and their successors shall have succession, and shall in law be capable of suing and being sued, pleading and being impleaded, in all courts and places whatsoever; may have a common seal, alter and change the same at their pleasure. And they and their successors may also by that name and style be capable in law of contracting and being contracted with, of purchasing, holding, and conveying away real and personal estate for the purpose and use of the said corporation as hereinafter limited.

Corporation created and their privileges

SEC. 2. The president and directors of said company hereinafter provided for shall have power and are hereby authorised to carry on the manufacture of the agricultural products of the country, and other useful branches of business, to erect mills, machines, works, and such other buildings as may be necessary to carry on their business, and enter into all contracts which may concern the use and management of the property, affairs, and interests of the said company:

SEC. 3. The capital stock of the said company shall consist of one hundred thousand dollars, divided into shares of one hundred dollars each.

Capital stock,

SEC. 4. That for the purpose of carrying into effect the objects of this corporation, the person named in the first section of this act is hereby appointed a commissioner to obtain subscriptions to the capital stock of said company, and may open books for said subscription at such times and places as he may deem expedient, and when at least five hundred of said shares shall have been subscribed, and one dollar on each share paid thereon, said commissioner shall, within thirty days thereafter, call a meeting of the stockholders at Carrollton, in Greene county, by a printed notice in some newspaper of general circulation in this state.

Commissioner to receive subscriptions to stock

Notice to be given

SEC. 5. That at said meeting the stockholders of said company shall proceed to elect five directors, who shall manage, direct, and govern the affairs of said company one year from the period of said election, and until their successors, who shall be vested with the same authority, are elected.

Stockholders to elect directors.

Vote of stock
holders

SEC. 6. And, that at said elections each stockholder shall be entitled to give one vote for each share of stock he may hold, and a majority of all votes given shall be required to make an election.

Time when e-
lection to be
held

SEC. 7. That the period of election shall be annually on the first Monday of the month in which the first election shall be held, and if it shall so happen that any election does not take place upon the day appointed, the same may be held on any day thereafter, the acting president giving the notice thereof, required in the first section.

Election of off-
icers
To be sworn
and his duty

SEC. 8. That immediately after the directors are chosen as above, they shall hold a meeting, at which, and all subsequent meetings, a majority shall constitute a quorum; that they shall proceed to the election of a president from one of their number, a secretary, who shall be sworn by a justice of the peace to the faithful discharge of his duty, and who shall record all the proceedings of the said corporation under the direction of the said president and directors, in a book to be kept by him for that purpose; a treasurer, who shall give bond to such amount and in such manner as the said president and directors shall direct, and appoint such other officers and agents as to them may seem necessary.

President and
directors to ap-
point officers

Power to make
by-laws

SEC. 9. That the said president and directors shall have power from time to time to make all such by-laws, rules, and regulations, not inconsistent with the constitution and laws of this state or of the United States, which may be necessary for the payment or collection of subscriptions to its stock and the transfer of the same, the conveyance of property, the payment of collection of dues to or from said company, or that in any other way concern the interests, management, or direction of the affairs of said company.

Corporation
not to be dis-
solved

SEC. 10. The corporation hereby created shall continue for the term of fifty years.

Act deemed a
public act

SEC. 11. This act to be in [force] from and after its passage, and shall be taken and considered a public act in all courts of record, and also, in all courts of justices of the peace, and shall be beneficially construed.

Act conferred
on company

SEC. 12. The powers, provisions, rights, and immunities hereby granted by this act to the Carrollton steam mill manufacturing company, be and the same are hereby fully to all intents and purposes conferred upon Jesse C. Smith, his associates, successors and assigns, under the style and name of the "Mississippi River Company;" and the said company may erect mills, works, and buildings for manufacturing purposes at or below the town of Grafton, on the Mississippi river, and may export their products and manufactures. And said Smith is hereby appointed com-

Name
Privileges

missioner to obtain subscriptions for said stock, in manner provided in the fourth section of this act. And the first meeting of said stockholders shall be held at Grafton aforesaid, in Greene county.

APPROVED March 4th, 1837.

AN ACT supplemental to the act Incorporating the Kaskaskia Bridge Company. In force March 4, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That the provisions of the act passed at the present session of the General Assembly, incorporating the Kaskaskia Bridge Company, which requires the company to permit the citizens of the county of Randolph to pass free from toll, are hereby repealed; and the county commissioners of Randolph county are hereby authorized to subscribe for five thousand dollars worth of stock in the said company, to be paid out of the appropriation made to Randolph county by the 15th article of the 18th section of an act entitled "An act to establish and maintain a general system of Internal Improvements," passed during the present session of the General Assembly, so soon as the same shall be received by said county.

Act relating to Kaskaskia Bridge Company repealed
Co. commissioners of Randolph co. may subscribe stock
How stock to be paid

SEC. 2. The county commissioners of White county are hereby authorized and required to subscribe for five thousand dollars worth of stock in the Carmi Bridge Company, to be paid out of the appropriation made to White county by the 15th article of the eighteenth section of an act entitled "An act to establish and maintain a general system of Internal Improvements," passed during the present session of the General Assembly, so soon as the same shall be received by the said county of White.

Co. commissioners of White county may subscribe stock to Carmi bridge company

APPROVED 4th March, 1837.

AN ACT to incorporate the Illinois Manufacturing Company. In force March 4, 1837

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Joseph Webster, Priam B. Hill, S. H. Pitkin, N. Walker, P. H. Hart, J. Benson, Jacob Ellis, Stephen Rigden, Joseph L. Sharp,

Andrew Lazwell, Augustus Coffman, R. Townley and N. B. Childs, and their associates and successors, be, and they are hereby constituted a body politic and corporate, under the name and style of the "Illinois Manufacturing Company," from and after the passage of this act, and by that name they and their successors shall have succession; and shall in law be capable of [suing and] being sued, pleading and being impleaded, in all courts of justice and places whatsoever; may have a common seal, alter and change the same at their pleasure; and they and their successors may also by that name and style be capable in law, of purchasing, holding, and conveying away, real and personal estate; which real estate, except the lots of land on which the buildings, mills, and warehouses of the company are erected, shall not exceed two sections, except such as may be held as collateral security for debts *bona fide* owed to the corporation, or may become the property thereof by such indebtedness; and further, no real estate acquired by such indebtedness shall remain the property of said corporation for a longer period than five years, under the penalty of a forfeiture thereof to the people of this State.

Created a body politic and corporate
Powers of corporation
Presidents and Directors' duties

SEC. 2. The president, directors and company, hereinafter provided for, shall have power, and are hereby authorized to carry on the mining of coal or other minerals; the manufacture of flour, corn meal, wool, hemp, lumber, iron, and other agricultural products; to export their products and manufactures; to erect mills, furnaces, machines, and such other buildings as may be necessary to carry on their business, and to enter into all contracts which may concern the use and management of said property.

Capital stock

SEC. 3. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same, by a vote of a majority of the stockholders, to any sum not exceeding three hundred thousand dollars; *Provided*, That the total amount of debt which said corporation shall at any one time owe, shall not exceed the one half of the amount of their capital stock actually subscribed.

How subscriptions to be opened
No. of shares

SEC. 4. Subscription to the capital stock of said company shall be opened under the direction of the persons heretofore named, and if more than one hundred thousand dollars shall be subscribed, they shall distribute the stock among the several subscribers, in such manner as they shall think most conducive to the interests of said corporation. The stock of said corporation shall be divided into one thousand shares of one hundred dollars each; and it shall be the duty of the directors for the time being, to require to be paid in at the time of subscribing for stock, five dollars on each share, and to call for and

demand of the said stockholders respectively, all sums of money by them subscribed, at such time, and in such proportions, as they shall see fit, under the penalty of the forfeiture of their shares and previous payments made thereon, to the said corporation, always giving thirty days notice in a newspaper printed in or nearest Fulton county.

SEC. 5. That the general place of meeting of said company shall be at Bernadotte, in Fulton county, in this State; but the president and directors of said company may select such other places of business, as to them may seem fit, for the general purposes of said company; *Provided*, That said company shall not be authorized to erect any mills, or other buildings, or to engage in mining, in any county in this State, save those of Fulton and Peoria counties, unless the said company shall first obtain the consent of the county commissioners' court, in such other counties; which consent, so obtained, shall be entered on the records of the court or courts granting the same.

Place of meeting

SEC. 6. The stock, property, and concerns, of said corporation, shall be conducted by five directors, who shall at the time of their election be holders respectively of not less than five shares of the capital stock of said company; a majority of said directors shall form a quorum, and the period of election shall be annually on the first Monday in the month in which the first election was held.

Stock and concerns, how managed

SEC. 7. The directors of said company shall have power to appoint a secretary and treasurer, or one person who may fill the office of secretary and treasurer, and such other officers and agents as may be necessary for carrying on the business of said company. Said directors shall hold their offices for the term of one year, and shall be chosen by the stockholders or their proxies, which shall be by ballot; each share of the capital stock shall be entitled to one vote, and the persons receiving the greatest number of votes shall be deemed duly elected; said directors shall appoint one of their number a president, which president and directors so chosen shall constitute a board, or the major part of them, and be competent to the transaction of business, and may, from time to time, make and prescribe such rules and by-laws, and regulations, relative to the concerns of said corporation, as may be requisite for carrying on the business of said corporation.

Directors' powers

Term of office
How chosen

To make by-laws, rules and regulations

SEC. 8. The secretary of said corporation shall be duly sworn by a justice of the peace, or a judge of the circuit court, to the faithful discharge of his duties; and the said company shall at all times keep proper books of account, in which shall be registered the transactions of the company, and the same shall at all times be open to the inspection of the stockholders; and it shall be the duty of the di-

Secretary to be sworn

Proper books to be kept

rectors to make annual dividends, or at such other times as the directors shall direct, of so much of the profits of said company as to them, or a majority of them, shall appear advisable; and the directors, whenever required by a majority of the stockholders, shall exhibit at a general meeting a full and perfect statement of all the debts and credits, and all such other matters as may be deemed essential, relating to the affairs of the company.

Stock deemed personal property.

SEC. 9. The stock of said corporation shall be deemed personal property, and assignable and transferrable on the books of the corporation; but no stockholder indebted to the corporation shall be permitted to make a transfer until such debts be paid, or secured to be paid to the satisfaction of the directors.

Commissioners to carry into effect

SEC. 10. That for the purpose of carrying into effect the objects of this corporation, Joseph Webster, Priam B. Hill, S. H. Pitkin, N. Walker, P. H. Hart, Jesse Benson, Jacob Ellis, Stephen Rigdon, Joseph L. Sharp, Andrew Lazwell, Augustus Coffman, R. Townley and N. B. Childs, are hereby appointed commissioners to obtain subscriptions to the capital stock of said company; and said commissioners, or a majority of them, after giving general notice thereof in some paper printed in this State, may open books for the subscription of said stock, at such times and places as they may direct, and keep the same open until at least ten thousand dollars shall be subscribed. When such subscription is complete, or when the amount of ten thousand dollars shall have been subscribed, within sixty days thereafter, the said commissioners, or a majority of them, shall call a meeting of the stockholders at Bernadotte, in Fulton county, for the purpose of organization, by a printed notice in some newspaper of general circulation within this State.

Duration

Proviso

SEC. 11. The corporation hereby created shall continue for the term of thirty years from and after its passage; *Provided, however,* That if said company shall not have been organized under this charter, and the works located, and business commenced, within three years from and after the first day of July next this act shall be void and of no effect; *And provided also,* That unless the said company shall have expended twenty thousand dollars upon the aforesaid works, within five years from the passage of this act, this corporation shall expire and be null and void.

A public act

SEC. 12. This act is hereby declared to be public, and shall take effect from and after its passage,

APPROVED 4th March, 1837.

AN ACT to incorporate the town of Carlinville.

In force 4th
March, 1837.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the inhabitants and residents of the town of Carlinville, in Macoupin county, are hereby made a body corporate and politic in law and in fact by the name and style of the "President and Board of Trustees of the town of Carlinville," and by that name shall have perpetual succession and a common seal, which they may alter at pleasure, and in whom the government of the corporation shall be vested, and by whom its affairs shall be managed.

Inhabitants
made body
corporate and
politic

SEC. 2. The boundary of the said corporation [shall] be, and the same is hereby declared to extend a half mile north, east and west, from the centre of the public square, and south, to the prescribed limits of the town plat as recorded in the county of Macoupin.

Boundary of
corporation.

SEC. 3. That the present trustees shall continue in office until the first Monday in February next, and until their successors are duly elected and qualified, and forever thereafter an election shall be holden on the first Monday of April annually, for five trustees, to ho'd their offices one year, and until their successors are qualified; and public notice of the time and place of holding said election shall be given by the president and trustees, by an advertisement published in a newspaper in said town, or posting it up in at least four of the most public places in said town; no person shall be a trustee of said town who has not arrived at the age of twenty-one years, who has not resided in said town six months next preceding his election, and who is not at the time thereof a *bona fide* freeholder, and moreover who has not paid a corporation tax; and all free white male inhabitants over twenty-one years of age, who have resided in said town three months next preceding an election, shall be entitled to vote for trustees. And the said trustees shall at their first meeting, proceed to elect one of their body president, and shall have power to fill all vacancies in said board which may be occasioned by death, resignation, removal, or six months absence from the town, and to appoint a clerk and assessor, a treasurer, a street inspector, and a town constable, to give bond and security in such amount as the trustees may require. And the said town constable shall take an oath or affirm before some justice of the peace that he will faithfully discharge the duties of said office; and it shall be his duty to collect all fines and to serve all processes at the suit of the corporation, and to do such other matters and things pertaining to the office, as may be required of him by the ordinances and by-laws of said corporation.

Election of
trustees, when
held.

Who qualified
to vote.

Trustees to ap-
point officers &
collect fines.

SEC. 4. The said corporation is hereby made capable

Powers of corporation to make improvements.

To pay damages sustained on account of improvements.

May sue and be sued, &c.

May pass laws for their government and direction.

May levy tax and collect the same.

n law, to take and hold to themselves and their successors, any lauds, tenements, hereditaments, and the rents, issues, and profits thereof, which may be necessary for the erection of any market house, or other public buildings, to promote the interest and public good of the citizens of said town, and the same to sell, grant and dispose of, if necessary. They shall also have power to regulate, to grade, pave and improve the streets, lanes and alleys, within the limits of said town and corporation, and to extend, open; and widen the same, making the persons injured thereby adequate compensation, to ascertain which, the board shall cause to be summoned twelve good and lawful men, freeholders and inhabitants of said town, not directly interested, who (being first duly sworn for that purpose,) shall enquire into, and take into consideration, as well the benefits as the injury which may accrue, and estimate and assess the damages which would be sustained by reason of the opening, extending, widening of any street, avenue, lane or alley, and shall moreover estimate the amount which other persons will be benefitted thereby, and shall contribute towards compensating the person injured, all of which shall be returned to the board of trustees, under their hands and seals; and the persons who shall be benefitted, and so assessed, shall pay the same in such manner as shall be provided, and the residue, if any, shall be paid out of the town treasury. And they shall sue and be sued, plead and be impleaded, answer and be answered, in any court whatever, and that all acts heretofore done by the board of trustees by and under the sanction and provisions of the former acts of incorporation, are hereby confirmed.

SEC. 5. The trustees aforesaid and their successors, or a majority of them, shall have full power and authority to ordain and establish such rules and regulations for their government and direction, and for the transaction of the business and concerns of the corporation, as they may deem expedient, and to ordain and establish, and put into execution such by-laws, ordinances and regulations, as shall seem necessary for the government of said corporation; and for the management, control, disposition and application of its corporate property, and generally to do and execute all and singular such acts, matters and things, which to them may seem necessary to do, and not contrary to the laws and constitution of this state.

SEC. 6. The said trustees shall have power to levy and collect a tax, not exceeding one per cent. on all lots and lands exclusive of improvements and personal property, lying and being within the incorporated limits of said town, according to valuation; to tax public shows, and houses of public entertainment; taverns, stores and groceries, for

the purpose of making and improving the streets and keeping them in repair, and for the purpose of erecting such buildings and other works of public utility as the interest and convenience of the inhabitants of said town may require, and the circumstances render proper and expedient. And said trustees may adopt such modes and means for the assessment and collection of taxes as they may from time to time fix upon and determine; and to prescribe the manner of selling property, when the tax levied upon it is not paid: *Provided however*, No sale of any town lots or other real estate shall be made, until public notice of the time and place shall be given by advertisement in the newspapers, or at four of the most public places in said town, at least fifteen days previous thereto. Proviso.

SEC. 7. That the trustees of said town, or a majority of them shall have power to preserve good order and harmony in said town; to punish open indecency, breaches of the peace, gambling, gaming houses, horse racing, shooting, and all disorderly houses and riotous meetings; to remove obstructions in the streets and public ways, and all nuisances, for which purpose they may make such by-laws and ordinances as to them may seem expedient and not inconsistent with any public law of this state, and impose fines for the breach thereof, which fines shall be recoverable before any justice of the peace residing in said town. To punish for offences.
And all suits and judicial proceedings under this act shall be brought in the name and style of the president and board of trustees of the town of Carlinville. Fines recoverable.

SEC. 8. It shall be the duty of any justice of the peace, residing in said town, and he is hereby authorised and empowered, upon the violation of any law or ordinance of said corporation, to issue his warrant directed to the town constable, or any authorised county officer, to apprehend the offender or offenders, and bring them or him forthwith before him, and after hearing the evidence, if it shall appear that the said accused has been guilty of the violation of any such law or ordinance of the corporation, to impose such fine or imprisonment, as shall be pointed out in such law or ordinance: *Provided*, Such fine shall not exceed five dollars, and imprisonment not to exceed twenty four hours: *Provided however*, That writs of certiorari and appeals shall be granted from judgments under this act, as in other civil cases; and in all criminal cases, the defendant shall be entitled to an appeal to the circuit court, by entering into bond or recognizance as the case may require, before the justice of the peace, within twenty days after the rendition of the judgment, with such securities and in such an amount, as the justice may think right and proper; and all fines imposed for a breach of the peace or Duties of justices of the peace.
Proviso.

violation of the corporation ordinances, shall be paid into the treasury of said corporation.

Property may be redeemed.

SEC. 9. That when any town lots or real estate shall be sold for taxes by virtue of this act, the same may be redeemed at any time within two years from the date of such sale by the owner of said property, or his or her agent, executor or administrator, paying to the treasurer of said town, for the use of the purchaser of said property, the full amount of purchase money, with interest, at the rate of twelve per cent. per annum, together with costs accruing thereon.

Trustees may collect a special tax.

SEC. 10. That upon the application of the owners of two-thirds of the front of the lots on any street or parts of a street, it shall be lawful for the board of trustees to levy and collect a special tax on the owners of the lots on said street or parts of a street, according to their respective fronts, not to exceed one per cent. for the purpose of grading and paving the side walks on said street.

Ordinances to be published.

SEC. 11. That all ordinances of said trustees shall be fairly written out, signed by the clerk and published in a newspaper printed in the town, or posted up at three of the most public places in said town, and no ordinance shall be in force until published as aforesaid.

Justices' fees.

SEC. 12. That justices of the peace and constables, who are required to render services under this act, shall be entitled to the same fees and collect them in the same manner, as now is, or hereafter may be provided by law;

Quorum of trustees

SEC. 13. That the president, or any two of the trustees, shall have power to call a meeting of the board, by giving one day's notice thereof, and a majority shall constitute a quorum to do business, but a minority shall have power to adjourn from time to time, and compel the attendance of absent members. And in the event that the notice of an election is not given as required in this act, or from any other cause, that an annual election should not be holden at the proper time, it shall be lawful for the late clerk of the board, or any two qualified voters in said town, at any time thereafter, to give notice as aforesaid, of the time and place of holding a special election; and the trustees elected at such special election, shall have all the powers conferred by this act: *Provided in all cases*, Two-thirds of the qualified voters of said town or corporation, shall have power to dissolve the said corporation at any annual election for president and trustees, any law to the contrary notwithstanding.

Clerk to give notice of election.

This act shall take effect from and after its passage.

APPROVED, March 4, 1837.

AN ACT to incorporate the Gallatin Academy.

In force March 4, 1837.

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That John Lane, Timothy Guard, Thomas M. Scawell, Daniel Wood, Joseph E. Watkins, Tarlton Dunn, William J. Gatewood, John Crenshaw, and their successors be and they are hereby created a body politic and corporate, to be styled and known by the name of the President and Trustees of the Gallatin Accademy, and by that style and name to remain and have perpetual succession; the said academy shall be and remain at or near Equality in Gallatin county, and State of Illinois; the number of trustees shall not exceed twelve, one of whom shall be president of the board, to be chosen by the trustees. For the present the above named individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their discretion.

Created a body politic and corporate.
Name
To have perpetual succession.
Where to be located.
Trustees.
Vacancies how filled.

SEC. 2. The object of said corporation shall be the promotion of the general interest of education.

Objects of corporation.

SEC. 3. The corporate powers hereby bestowed, shall be such only as are essential or useful in the attainment of said object, and such as are usually conferred on similar bodies corporate, to wit: to have perpetual succession, to make contracts, to sue and be sued, plead and be impleaded, to grant and receive by its corporate name, and to do all other acts as natural persons may; to accept, acquire, purchase, or sell property, real, personal, or mixed, in all lawful ways; to use, employ, manage, and dispose of all such property, and all money belonging to said corporation, in such manner as shall seem to the trustees best adapted to promote the objects before mentioned; to have a common seal, and to alter or change the same; to make such by-laws for its regulation, as are not inconsistent with the constitution and laws of the United States, or of this State; and to confer on such persons as may be considered worthy, such academical or honorary degrees as are usually conferred by similar institutions; *Provided*, That nothing herein contained shall be construed to authorise said corporation to hold more than one hundred and sixty acres of land at any one time.

Powers.

Proviso.

SEC. 4. The trustees of said corporation, shall have authority from time to time, to prescribe and regulate the course of studies to be pursued in said academy, to fix the rate of tuition, and other academical expenses; to appoint instructors, and such other officers and agents as may be necessary in managing the concerns of the institution, to define their duties, to fix their compensation, to displace or remove them, to erect necessary buildings, to purchase

May regulate course of studies, fix rates of tuition &c.

books, chemical and philosophical apparatus, and other suitable means of instruction, to make rules for the general regulation of the conduct of the students.

May fill vacancies.

SEC. 5. The trustees for the time being, in order to have perpetual succession, shall have power to fill any vacancy which may occur in the board from death, removal, resignation, or any other cause; a majority of the trustees for the time being shall be a quorum to do business.

Treasurer to be appointed.

SEC. 6. It shall be the duty of said trustees to appoint one of their number, treasurer to the board, who shall be required to give bond with sufficient security, in such penal sum as the bond may prescribe, conditioned for the performance of such duties as the by-laws may require of him.

Not to be sectarian.

SEC. 7. The said institution shall be open to all denominations of christians, and the profession of any particular religious faith shall not be required of those who become students, all persons however, may be suspended or expelled from said institution by the trustees thereof, whose habits are idle or vicious, or whose moral character is bad.

May expel students.

What lands may be held.

SEC. 8. The lands, tenements, and hereditaments, to be held in perpetuity by virtue of this act, by said corporation, shall not exceed six hundred and forty acres; *Provided however*, That if any donations, grants, or devises in land, shall from time to time be made to said corporation, over and above the said six hundred and forty acres, which may be held in perpetuity as aforesaid, the same may be received and held by said corporation for the period of five years from the date of any such donation, grant or devise, at the end of which time, if the said land shall not have been sold by the corporation, then and in that case, the said lands so donated, granted, or devised, shall revert to the donor, grantor, or the heirs of the devisor of the same.

Proviso.

Lands donated may be held five years.

If not sold to revert back.

Common school to be attached.

SEC. 9. There shall also be attached to the said Academy, a department in which shall be taught branches that are usually taught in common schools, which shall constitute the common school of the district in which said Academy may be situated; and the trustees of said academy shall receive from the school commissioners of the county, the same amount of money in the same proportion, and apply the same to such tuition in the same manner as other common schools are paid and kept: *Provided*, That the teachers or instructors of said department, shall be selected by the trustees, and under the control of the by-laws of said corporation.

Proviso.

APPROVED, 4th March, 1837

AN ACT to incorporate the Winchester, Lynnville, and Jacksonville Rail- in force Jan. road Company.—[Omitted from the printed Laws of last session.] 8, 1836

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That John P. Wilkinson, John J. Hardin, William Thomas, Porter Clay, Joseph Dun- csn, William King, F. A. Landrum, Adam Allison, William Smith, Levi Hartin, Zalron Carter, Thomas Kersey, D. Watt and Edward G. Minor, their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of the Winchester, Lynnville, and Jacksonville Rail- road Company, and by that name may be, and hereby are, made capable in law and equity, to sue and be sued to final judgment and execution, plead and be impleaded, defend and be defended, in any courts of record, or in any other place whatever, to make, have, and use a common seal, and the same to break, renew, and alter at pleasure; and shall be, and are hereby, vested with all the powers, privileges, and immunities, which are or may be necessary to carry into effect the purposes and objects of this act, as hereinafter set forth. And the said company are hereby autho- rized and empowered to locate, construct, and finally complete a Rail-road, commencing a' or near the east bank of the Illinois River, opposite the town of Augusta, in Pike county, thence to the town of Winchester, in the county of Morgan, thence to Lynn- ville, and thence to Jacksonville in said county, in such manner and form as the said company shall deem most-expedient; and for this purpose said company are authorized to lay out their said road at least four rods wide through the whole length, and for the purpose of cutting, embankments, stone and gravel, may take as much more land as may be necessary for the proper construction and security of said rail road: *Provided,* That all damages that may be occasioned to any person or corporation by the taking of such lands or materials for the purposes aforesaid, shall be paid for by said company, in the manner hereinafter provided.

Created a body politic and corporate.

Powers and privileges

To make rail road

SEC. 2. The capital stock of said company shall consist of six thousand shares, of fifty dollars each. And the immediate gov- ernment and direction of the affairs of said company shall be vest- ed in nine directors, who shall be chosen by the members of the company in the manner hereinafter provided, who shall hold their offices for one year, and until others shall be duly elected and qualified to take their places as directors; and the said direc- tors, a majority of whom shall form a quorum for the transactions of business, shall elect one of their number to be president of the board, who shall also be president of the company, and shall have authority to choose a clerk who shall be sworn to the faithful dis- charge of his duty, and a treasurer, who shall give bond to the company with sureties to the satisfaction of the directors.

Capital stock

Directors cho- sen

Power of presi- dent

SEC. 3. The president and directors for the time being are hereby authorised and empowered by themselves or their agents to exercise all the powers and authority herein granted for the purpose of locating, constructing and completing said rail road, and all such other powers and authority for the management of the affairs of said company not heretofore granted, as may be ne-

Power of di- rectors

- cessary to carry into effect the objects of this grant, to purchase and hold lands, materials, and other things necessary in the name of the company, for the use of the road; to make such equal assessments from time to time on all the shares in said company, as they may deem expedient and necessary in the progress and execution of the road, and direct the same to be paid to the treasurer of the company, and the treasurer shall give notice of all such assessments. The board of directors shall have power to adopt rules and by-laws, regulating the manner and time of payment of all assessments they may order, under such penalties as they may deem proper.
- Assessments**
- Directors to pass by-laws**
- Damages** **SEC. 4.** Said company shall be holden to pay all damages that may arise to any person or persons, corporation or corporations, by taking their land, stone or gravel for the use of said rail road, when the same cannot be obtained by voluntary agreement; to be estimated in the manner provided by law for the recovery of damages by the laying out of highways.
- Non compos mentis, infants** **SEC. 5.** When the lands or other property or estate of any married woman, infant, or person *non compos mentis*, shall be necessary for the construction of said rail road, the husband of such married woman, and the guardian of such infant or person *non compos mentis* may release all damages in relation to the land, or estates to be taken and appropriated as aforesaid, as fully as they might do if the same were holden in their right respectively.
- Persons injuring property, how proceeded against** **SEC. 6.** If any person shall wilfully, maliciously, or wantonly, and contrary to law, obstruct the passage of any car on said rail road or any part thereof, or any thing belonging thereto, he, she or they, or any person so assisting, shall forfeit and pay to said company for any such offence, treble such damages as shall be proved before any court competent to try the same, to be sued for in the name and in behalf of said company; and such offender or offenders shall be deemed guilty of a misdemeanor, and liable to indictment in the same manner as other indictments are found, in any county or counties where such offence shall have been committed; and upon such conviction, said offenders shall be liable to a fine not exceeding five thousand dollars, for the use of such county where the indictment may be found, or may be imprisoned not exceeding one year, at the discretion of the court before whom the conviction may be had.
- Rail road obstructing, how to abate** **SEC. 7.** Said company shall so construct their said rail road across rivers, canals, turnpikes, and other public ways, as not to hinder, obstruct, or interfere with the navigation, passage and free use of such public ways. And if said rail road shall not be so constructed, it shall be lawful for the persons aggrieved to abate the same, in the manner as now provided by law for the removal of obstructions to public ways.
- Annual meeting, how fixed** **SEC. 8.** The time of holding the annual meetings of said company for the election of directors shall be fixed and determined by the by-laws of said company, and at all meetings each stockholder shall be entitled to vote in person or by proxy duly authorised, one vote for every share he or they may own.
- SEC. 9.** That J. P. Wilkinson, John J. Hardin, William Thom-

as, Porter Clay, Joseph Duncan, William King, F. A. Landrum, Adam Allison, William Smith, L. Harlan, Zalmon Carter, Thos. Kersey, D. Watt, and Edward G. Minor, are hereby appointed commissioners to open subscription books for the stock of said company. Said commissioners, or a majority of them, are hereby authorised to open subscription books for said stock, at such places as they may deem proper, and shall give at least thirty days notice of the time and place where said books will be opened; and shall keep the same open for five days, unless the whole number of shares of said company shall be sooner subscribed; and they shall require each subscriber to pay five dollars on each share subscribed, at the time of subscribing; and at the termination of said term of five days, or sooner, if the whole amount of said shares shall be taken. Said commissioners shall call a meeting of the stockholders, by giving ten days notice in some public newspaper printed in this state, of the time and place of such meeting. At such meeting it shall be lawful to elect the directors of said company, and when the directors of said company shall have been chosen, the said commissioners shall deliver said subscription books, together with all sums of money received by them to said directors: *Provided*, That no election shall be held until one-fourth of the whole number of shares of said company shall have been subscribed: *And provided, also*, That each director shall, at the time of his election, hold at least ten shares of the capital stock of said company.

Commissioners
to open books

To call a meet-
ing

Directors, how
elected

Proviso.

Proviso

SEC. 10. Said Board of directors shall have power to make, ordain, and establish such by-laws, rules, and regulations and ordinances as they may deem expedient and necessary to accomplish the purposes of, and carry into effect the provisions of this act, and for the well ordering, regulating, and securing the interests and affairs of said company: *Provided*, The same be not repugnant to the constitution and laws of this state or of the United States: also, to contract and be contracted with, in all things in relation to the effects and business of the company as fully as natural persons.

Regulations &
ordinances

Proviso;

SEC. 11. That the said corporation be and they are hereby authorised to construct and use a turnpike or Macadamised road, of suitable width and dimensions, within the limits prescribed by the first section of this act; and shall have power to regulate the time and manner in which goods and passengers shall be transported, taken and carried on the same, as well as the manner in which they shall collect all tolls and dues on account of transportation and carriage: *Provided*, The same shall not amount to more than fifteen per cent. upon the capital stock, and shall have power to erect and maintain toll-houses and other buildings, for accommodation of their concerns, as they may deem suitable to their interests, and to collect tolls as soon as any part thereof shall be finished.

Corporation
may construct
turnpike or
Macadamised
road

Proviso

SEC. 12. For the purpose of facilitating the construction of the rail road, or turnpike, or Macadamised road, as authorised by this act, the said corporation is authorised by this act, to negotiate a loan or loans of money to the amount of its capital stock, and to

Can negotiate
loans

pledge all property, real and personal, and all of its rights, credits and franchises for the payment thereof.

Can loan its funds

SEC. 13. The said company shall be authorised to loan any part of its funds, at interest, and take such security for the payment thereof as may be deemed sufficient.

Holders of stock not to pay

SEC. 14. In case the company shall negotiate the loan herein authorised, the holders of stock shall never be required to pay a larger amount upon the stock subscribed than will be sufficient to pay the interest on the amount borrowed, and the principal, as the same may become due and payable: *Provided*, That five dollars be paid on each share subscribed; as required by this act.

Corporation to pay into county treasury

SEC. 15. The said corporation shall pay into the treasury of the county of Morgan, on the first Monday in January annually after the election of directors; as provided for by this act, one-one per cent. upon the amount of stock actually employed by said company as a tax; which shall be in lieu of all taxes or assessments upon the stock and property of said company for state or county purposes. The stock employed by said company shall be considered the amount of money expended by the company for the uses and purposes herein authorised; which tax shall be paid over to the county school fund of said county, and shall be applied to the support of common schools, and for no other purpose, in the same manner and upon the same terms and conditions as the county school fund of said county is or may be required to be applied: *Provided*, Said company shall not be required to pay said half per cent. till eight miles of said road shall be completed.

Stock, what it is

Tax paid to county school fund

Proviso.

Commence-ment and completion of road

SEC. 16. If the said company shall not, within two years, commence the construction of either of the works authorised by this act, and expend forty thousand dollars in the construction thereof in three years, and complete the same in six years, then this act and the powers herein granted, together with all the privileges conferred, shall cease and the same shall become null and void.

Preference to subscribers

SEC. 17. The commissioners authorised to open books for to receive the subscriptions of stock, shall give the preference to subscribe stock to said company, first to resident citizens of Morgan county, and secondly, to those of this state and in case a greater number of shares should be subscribed than the whole number authorised, the excess shall be taken from those who reside out of the state, then those residing out of the county of Morgan, until the whole number of shares shall be subscribed. And the commissioners are hereby authorised, in order to ascertain the residence of subscribers, to administer an oath to each person who may wish to take stock.

Oath to be taken

Stock deemed personal

SEC. 18. The stock hereby authorised to be subscribed for shall be deemed and taken to be personal property, and shall be transferrable on the books of the corporation, in such manner as the president and directors may determine by the laws of the corporation, and shall be liable to be sold on execution as personal property.

APPROVED 18th January, 1836

OFFICE OF
The Secretary of State,
INDIAN DEPARTMENT.

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OFFICE OF
The Secretary of State,
INDEX DEPARTMENT.



