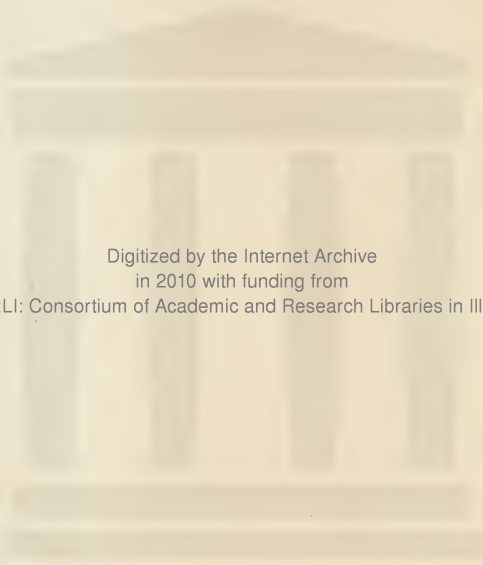


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HEDGE TRIMMER COMPANY.

AN ACT to incorporate the American Hedge Trimmer Company.

In force March
5. 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Henry L. Bryant, Townsend Atwater, Amos C. Babcock, David Oliver, Christian Bidamon, Robert Dilworth and William Babcock, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of the "American Hedge Trimmer Company," and by that name they and their successors shall have perpetual succession, and be capable in law of contracting and being contracted with, suing and being sued, of having and using a common seal, of purchasing, holding and conveying real and personal estate for the purposes of this act, and of doing all things which individuals might or could do, to carry into effect and operation the objects and purposes of this incorporation.

Name and style

§ 2. The objects of this corporation are the manufacture of "Oliver's Patent Hedge Trimmer," and the planting and trimming hedges of Osage orange, or other plants.

Objects.

§ 3. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same to two hundred and fifty thousand dollars, to be subscribed and paid for in the manner which may be prescribed by the by-laws to be adopted by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of said company, in such manner as its by-laws may prescribe. The capital stock shall be paid in at the time and in the installments required by the directors, and when five thousand dollars shall have been subscribed, the company may then proceed to business.

Capital stock.

§ 4. The said corporation shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgage or other security.

Borrow money.

§ 5. The corporation hereby created shall be under the direction of such number of directors as the stockholders may, from time to time determine, and until otherwise

Management.

ordered, the number of directors shall be seven. Such directors shall be stockholders, and shall be elected by the stockholders, at such time and in such manner as the by-laws shall provide, and shall hold their offices for the terms for which they were elected, and until their successors are elected.

First board of
directors.

§ 6. Henry L. Bryant, Townsend Atwater, Amos C. Babcock, David Oliver, Christian Bidamon, Robert Dilworth and William Babcock, shall constitute the first board of directors under this act, and shall act as such until their successors are elected.

Quorum—by-
laws.

§ 7. The directors of said company, a majority of whom shall constitute a quorum, shall have and exercise (unless otherwise ordered by the stockholders,) all the powers hereby conferred on said corporation, and may elect such officers and agents, and make such by-laws, rules and regulations, (not inconsistent with the laws of this state) for carrying into effect the objects of this act, as to them shall seem expedient.

§ 8. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED March 5, 1867.

In force Febru-
ary 25, 1867.

AN ACT to incorporate the Urbana and Champaign Horse Railway Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edward Atre, Daniel Gardner and Clark R. Griggs, and their successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of the "Urbana and Champaign Horse Railway Company," for the term of one hundred years, with all the provisions, powers and authority incident to corporations, for the purposes herein-after mentioned.

Name and style

powers.

§ 2. Said company is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all necessary and convenient tracks for turn-outs, sidetracks, switches and appendages through the cities of Urbana and Champaign, in the county of Champaign, Illinois, and in and over and along such streets, highway or highways within the present or future corporate limits of said cities of Urbana and Champaign: *Provided*, that in maintaining and operating said road, they shall not materially obstruct the common travel of the public on said streets or highways; and in all cases where vehicles shall meet said cars or carriages, of said railway, in either of said cities, said vehicle shall give way to the cars or carriages of said railway.

§ 3. The capital stock of said corporation shall be ten thousand dollars, and may be increased from time to time, at the pleasure of the corporation. The capital stock shall be divided into shares of one hundred dollars each, and be issued and transferred in such manner, and upon such conditions as the board of directors of said company may direct. Capital stock.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors, and such officers and agents as said board shall appoint. The first board of directors shall consist of Edwin Atre, Daniel Gardner and Clark R. Griggs, and thereafter not less than three directors to be chosen every year, by the stockholders, at such time and in such manner, as said corporation by their by-laws may direct. The said directors shall hold their offices until their successors are elected and qualified; and may fill vacancies which may occur in the board of directors, either by death, resignation or otherwise; they may also adopt such by-laws, rules and regulations for the government of said corporation and management of its affairs and business as they may think proper, not inconsistent with the laws of this state. Government and officers.

§ 5. The said corporation is authorized and empowered to borrow from time to time, such sums of money as in their opinion may be deemed necessary to aid the construction and operating said railway and pay any interest thereon not exceeding ten per cent. and to pledge and mortgage their said railway, and its appendages or any part thereof, or any other property, effects, rights and credits or appendages of said company as security for any loan of money or interest thereon, and to dispose of the bonds issued by such board of directors, at such rates or on such terms as the board of directors may determine; and shall have the right to take mortgage, and convey personal or real property, for the purposes contemplated in this act. Indebtedness.

§ 6. Said company may organize whenever the sum of ten thousand dollars shall have been subscribed to its capital stock, and five per cent. thereof, paid in, and the persons named in the first section of this act, shall be commissioners to open books for the purpose of receiving subscriptions to the capital stock of said company. Organization.

§ 7. This act shall be deemed a public act, and be in force from and after its passage, and shall be liberally construed in all courts or places, for the benefit of the objects herein contemplated. Construction of act.

APPROVED February 25, 1867.

In force Feb'y
25, 1867.

AN ACT to incorporate the Jacksonville Railway Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Cyrus Epler, Felix G. Farrell, Isaac L. Morrison, Murray McConnell, James H. Lurton, James Dunlap, Moore C. Goltra and J. T. Springer, of the town of Jacksonville, in the state of Illinois, and their successors, heirs and assigns, be and they are hereby created a body corporate and politic, by the name and style of the "Jacksonville Railway Company," with perpetual succession, and by said name and style may sue and be sued, plead and be impleaded, defend and be defended in all courts and places, and have and use a common seal, which they may alter and renew at pleasure, and have all the powers and authority incident to corporations, for the purposes hereinafter mentioned.

Name and style

Rights and pri-
vileges.

§ 2. The said corporation is hereby authorized and empowered and shall have the exclusive right and privilege to construct, maintain and operate a single or double track horse or steam railway, for thirty years, with all necessary and convenient tracks for turnouts, sidetracks and appendages, in the town of Jacksonville, in the state of Illinois, and in, on, over, across and along any and all the avenues, streets, public grounds, squares and alleys, within the present and future corporate limits of said town, and within its present and future additions, and in, on, across and along any and all highways connecting with said avenues, streets and alleys, and being and running beyond said corporate limits for the distance of one mile beyond said corporate limits for the purpose of carrying persons and things, and also shall have power to make all contracts, and own and use all property real and personal, that may be deemed necessary by said corporation, to carry out the objects aforesaid.

Capital stock.

§ 3. The capital stock of said corporation shall be fifty thousand dollars, and may be increased from time to time at the pleasure of said corporation, and it shall be divided into shares of fifty dollars each and be issued and transferable in such manner and upon such terms as said corporation or any future board of directors of said corporation may order.

Directors.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors, and such officers and agents as said board shall appoint, and the first board of directors shall consist of the persons whose names appear in the first section of this act, whose term of office shall run for one year from the date of the organization of said company; and thereafter said board shall consist of not less than three nor more than seven, who shall always be stockholders in said corporation, and whose term of office shall be one year and until their successors are chosen and

qualified, and they shall be chosen by the stockholders, at such time and place and in the manner as said corporation shall by its by-laws prescribe; and said stockholders shall have the right to cast one vote for each share of stock owned by them, either in person or by proxy, duly authorized by written appointment, filed with the records of said corporation, at all elections held by said stockholders, and said board may fill all vacancies therein, that may happen either by death, resignation or otherwise.

§ 5. Said directors may adopt such by-laws, rules and regulations for the government of said corporation and the management of its business and affairs as they may think proper, not being inconsistent with the laws of this state. By-laws.

§ 6. The said corporation is authorized and empowered to borrow from time to time, such sums of money as may be necessary to aid the construction and operation of said railway, and to issue bonds therefor, and pay any interest, not exceeding ten per cent. per annum, and to pledge and mortgage said railway and its appendages and profits, or any part thereof, as security for any such loan of money or bonds, and to dispose of the bonds issued for such loan, on such terms as said board of directors may determine. Indebtedness.

§ 7. Said corporation shall have power to procure the right of way over any lands over which the corporation may desire to lay any part of their said railway, by proceeding under and in conformity with the laws of the state of Illinois touching the right of way for public roads or railways, and may purchase, hold, mortgage and convey real estate, and use and contract in regard to the same, to as full an extent as natural [persons] can or might do. Right of way.

§ 8. A majority of said persons whose names appear in the first section of this act, or their successors, heirs or assigns may open books for subscription to the capital stock of said corporation, and when ten thousand dollars shall have been subscribed to its capital stock, and five per cent. thereof paid in, said majority of said persons so named in said first aforesaid section and their successors, heirs and assigns, may organize said company: *Provided*, however, the same shall be so done, and said corporation shall commence laying the track of their said railway, within three (3) years and complete the same within five (5) years after the passage of this act, on any street or part of street in said town of Jacksonville, and have the same in running order and in operation. Subscription to stock.

§ 9. Said corporation shall not so construct their railway, or lay down the tracks thereof, as to unnecessarily obstruct or prevent the public traveling over said avenues, streets, alleys and highways: *And provided*, that the grade and gauge of said railway, and the motive powers shall be approved by the common council of said town of Jacksonville, and the said corporation shall forfeit their right to any street or parts of street, over which said railway may be Grade and gauge.

built, if at any time they shall cease to operate the same for six months, at any one time.

Future legisla-
tion.

§ 10. This act and all powers and right derived therefrom, shall forever be and remain subject to all future general legislation of this state upon the subject of rates of fare for passengers and freight.

§ 11. This act shall be deemed and taken to be a public act and take effect and be in force from and after its passage.

APPROVED February 25, 1867.

In force Feb'y
23, 1867.

AN ACT to incorporate the Rockford Horse Railway Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That A. J. Enoch, W. G. Rea, James B. Agard, Charles O. Upton, Harvey Bartlett, Moses Bartlett, D. L. Bartlett, Thomas Butterworth, Henry Fisher, A. S. Buell and H. P. Holland, of the city of Rockford, and their associates and successors, be and they are hereby created a body politic and corporate by the name and style of "The Rockford Horse Railway Company," for the term of fifty years, with all the powers and authority incident to corporations for the purposes hereinafter mentioned.*

Name and style

Powers.

§ 2. The said corporation is hereby authorized and empowered, and shall have the exclusive right to construct, maintain and operate a single or double track railway, with all necessary and convenient sidetracks and tracks for turnouts and appendages in, on, over and along such street or streets, highway or highways, bridge or bridges within the present or future limits of said city of Rockford, as the common council of said city may authorize said corporation, in such manner and upon such terms and conditions and with such rights and privileges as said common council may by ordinance or by agreement with said corporation prescribe.

Property.

§ 3. The said corporation shall have power to purchase and hold real estate for the purpose of erecting thereon such buildings as may be necessary for the purpose of operating and maintaining its said railway.

Bridges—loca-
tion.

§ 4. The said corporation is hereby authorized and empowered to erect and maintain, for its own uses, such bridge or bridges across Rock river, and any other stream or streams of water within the present or future limits of said city of Rockford as may be necessary to operate and maintain its said railway. Said bridge or bridges are to be constructed at such point or points as the common council of

the said city of Rockford may, by ordinance or otherwise, prescribe.

§ 5. The persons named in section one of this act, or any seven of them, may open books for subscription to the capital stock of said corporation, which shall be fifty thousand dollars, divided into shares of one hundred dollars each; and said capital stock may be increased from time to time, as the exigencies of said corporation may require. Upon subscription being made to said capital stock of twenty thousand dollars, and ten per centum thereof paid in, a majority of said persons named in section 1 of this act may call a meeting of the stockholders of said corporation for the election of not less than five nor more than seven directors of said corporation, which directors shall hold their office for one year, or until their successors in office are duly elected and qualified; and such directors may appoint a president and other needful officers for said corporation who shall hold their office for like term with said directors, unless sooner removed. At all elections each stockholder shall be entitled to one vote for each share of stock by him held, and absent stockholders may vote by proxy; said directors may fill, by appointment, any vacancy which may happen in their number, and they may adopt such by-laws, rules and regulations in reference to calls upon and transfers of stock, the government of said corporation and the management of its affairs and business, as they may think proper, not inconsistent with the laws of this state.

Capital stock.

Directors.

President and other officers.

Vote of stockholders.

§ 6. The said corporation is authorized and empowered to borrow, from time to time, such sums of money as, in the opinion of the board of directors, may be necessary to aid in the construction of their said railway and its appendages, and to pay therefor any interest not exceeding ten per cent., and to pledge or mortgage the said railway, its appendages, or any part thereof, or any other property or effects of said corporation as security for any such loan of money and interest thereon; and to issue bonds for such sums of money so borrowed, and said bonds shall be of such denomination as the board of directors may determine: *Provided*, the aggregate amount of indebtedness so to be created, as herein provided for, shall not exceed the amount of cash actually paid in on the capital stock of said corporation.

Indebtedness.

§ 7. This act, and all powers derived therefrom, shall forever be and remain subject to all future general legislation of this state upon the subject of rates of fare for passengers and freight.

Future legislation.

8. This act shall be a public act, and shall take effect from and after its passage.

APPROVED February 28, 1867.

In force Feb'y 16, 1867. AN ACT to incorporate the Carlinville Horse Railway and Carrying Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John Dahoney, William B. Dugger, John T. McConnell, William Farrell and Henry Johnson, of the city of Carlinville, and their associates, successors, heirs and assigns, are hereby created a body politic and corporate, by the name and style of "The Carlinville Horse Railway and Carrying Company."

Name and style

Stock subscrip-
tion.

§ 2. A majority of said persons named in section one of this act, or their respective heirs, successors and assigns, may open books for subscription to the capital stock of said company, which shall be twenty-five thousand dollars, in shares of fifty dollars each; and said capital stock may be increased from time to time, as the exigencies of said company may require. Upon subscription being made to said capital stock of ten thousand dollars, and ten per cent. thereof paid in, a majority of said named persons may, or their respective successors, heirs and assigns, may call a meeting of the stockholders of said company for the election of five directors of said company; such directors shall hold their offices for one year, and until their successors are elected, and they may appoint a president and other needful officers for said company, who shall hold their offices for like terms, unless sooner removed.

Privileges.

§ 3. Upon such organization, said company may and shall have the exclusive right and privilege to establish and operate upon and over the streets of the city of Carlinville, railways for carrying persons and things, for the term of twenty-five years from the passage of this act, with all the convenient appendages thereto, in such manner as the common council of said city may by contract with said company hereafter prescribe. Said company shall have power and may exercise such powers as are or may be necessary for the purposes contemplated by this act, not repugnant to the laws of the United States or this state: *Provided*, said company shall commence laying such track within five years from the passage hereof.

Indebtedness.

§ 4. The said corporation is authorized and empowered to borrow, from time to time, such sums of money as in their opinion may be deemed necessary to aid the construction of said railway, and pay any interest therefor not exceeding ten per cent., and to pledge and mortgage the said railway and its appendages, or any part thereof, or any other property or effects, rights or credits or appendages of said company, as security for any loan of money and interest thereon, and to dispose of the bonds issued for such

loan at such rate or on such terms as the board of directors may determine.

§ 5. This act shall be deemed and taken to be a public act, and take effect and be in force from and after its passage.

APPROVED February 16, 1867.

AN ACT to incorporate the Lincoln Horse Railway and Carrying Company. In force February 19, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Robert B. Latham, Wm. McGalliard, John Wyatt, Fr. C. W. Koelmle, Geo. S. Dana, Hugh Hemphill, Henry W. Dana, and their successors, be and they are hereby created a body politic and corporate, by the name and style of the "Lincoln Horse Railway and Carrying Company," for the term of fifty years, with all the powers and authority incident to corporations for the purposes hereinafter mentioned.

Name and style
Term.

§ 2. That said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all necessary and convenient tracks for turnouts, sidetracks and appendages, in the city of Lincoln, county of Logan, state of Illinois; and in, on, over and along such street or streets, highway or highways within the present or future limits of the city of Lincoln, as the common council of said city have authorized said corporators, or any of them, or shall hereafter authorize said corporation so to do, in such manner and upon such terms and conditions, and with such rights and privileges as the said common council has or may, by contract with said company, hereafter prescribed.

Powers, etc.

§ 3. The capital stock of said corporation shall be fifty thousand dollars, and may be increased from time to time at the pleasure of said corporation. The capital stock shall be divided into shares of one hundred dollars each, and be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct.

Capital stock.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The first board of directors shall consist of said R. B. Latham, Wm. McGalliard, John Wyatt, Fr. C. W. Koelmle and George S. Dana, and thereafter, of not less than three nor more than seven stockholders, who shall be chosen each and every year by the stockholders, at such time and in the same manner as said corporation shall, by its laws prescribe.

Directors—first board of—office tenure—vacancies.

The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen in the board of directors, either by death, resignation or otherwise; they may also adopt such by-laws, rules and regulations for the government of said corporation and the management of its affairs and business as they may think proper, not inconsistent with the laws of this state.

Indebtedness.

§ 5. The said corporation is authorized and empowered to borrow, from time to time, such sums of money as, in their opinion, may be deemed necessary to aid the construction of said railway, and pay any interest therefor, not exceeding ten per cent. and to pledge and mortgage the said railway and its appendages or any part thereof, or any other property or effects, rights or credits or appendages of said company, as security for any loan of money, and interest thereon, and to dispose of the bonds issued for such loan at such rate or on such terms as the board of directors may determine.

Organization.

§ 6. Said company may organize whenever ten thousand dollars shall have been subscribed to its capital stock and five per cent. thereof paid in, and three of the persons mentioned in the first section of this act shall be commissioners to open books for the purpose of receiving subscriptions to the capital stock of said company.

Subscription.

Real estate.

§ 7. Said corporation shall be authorized to purchase, hold and convey real or personal estate necessary for the use of such corporation, and to manufacture materials, machinery and rolling stock for the use of such corporation.

Notice of act.

§ 8. This act shall be deemed a public act, and noticed by all courts as such, without pleading, and shall take effect and be in force from and after its passage for the period of fifty years.

APPROVED February 19, 1867.

In force February 20, 1867. AN ACT to incorporate the Alton and Upper Alton Horse Railway and Carrying Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Cyrus Edwards, John Adkins, Robert DeBow, Hiram N. Kendall, Charles E. Hall, John J. Mitchell, Henry C. Sweetzer, Washington T. Miller, John Topping, their associates and assigns, be and are hereby created a body politic and corporate by the name of "Alton and Upper Alton Horse Railway and Carrying Company" for the term of fifty years,

Style.

with all the powers and authority incident to corporations for the purposes hereinafter mentioned.

§ 2. The said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all the necessary and convenient tracks for turnouts, sidetracks and appendages in the city of Alton and town of Upper Alton, in the county of Madison, Illinois; and in, on, over and along such street or streets, highway or highways between said city and town as may be necessary for the construction, operation and maintenance of said road.

Power to build horse railway.

§ 3. A majority of said persons named in section one of this act, their associates, successors and assigns, may open books for the subscription to the capital stock of said company, which shall be one hundred thousand dollars, in shares of one hundred dollars each; and said stock may be increased from time to time, as the exigencies of said company may require. Upon subscription being made to said capital stock of twenty thousand dollars and five per centum thereof paid in, a majority of said named persons, their associates, successors and assigns, may call a meeting of the stockholders of said company for the election of seven directors of said company. Such directors shall hold their offices for one year, and until their successors are elected; and they may appoint a president and other needful officers for said company, who shall hold their offices for like term, unless sooner removed.

Books of subscription—capital stock—shares.

Election of directors—tenure of office.

§ 4. Upon such organization said company may and shall have the exclusive right and privilege to establish and operate, upon and over the streets of the city of Alton and town of Upper Alton and between said places, railways for carrying persons and things; but said corporation shall not be liable for the loss of any property or thing carried on said railway, kept in and under the charge of its owner, his servant or agent.

Monopoly.

§ 5. To enable said corporation to construct said railway, with all the necessary appendages, it is hereby vested with power to take and apply private property for the purpose and in the manner prescribed by an act entitled "An act to amend the law condemning the right of way for purposes of internal improvements," approved June 22, 1852, and the several acts amendatory thereof; and may exercise all the powers conferred on railroad corporations by the 25th and 26th sections of an act to provide for a general railroad incorporation, approved November 5, 1849.

Right of way.

§ 6. Said corporation is hereby authorized to lay down and maintain its said railway in, on, over and along any street or streets in said city of Alton and town of Upper Alton, subject, however, to such restrictions as may be imposed by the common council of the city of Alton, for said city, and by the trustees of the town of Upper Alton, for

Power to lay track—other vehicles shall give the road.

said town, as hereinafter provided, and in, upon, over and along any common highway between said places, but in such manner as not to obstruct the common travel of the public over the same. In all cases where vehicles shall meet the cars or carriages of said railway within said towns or between the same, said vehicles shall give way to said cars or carriages on said railway.

Council may
control track.

§ 7. The common council of said city of Alton and the trustees of said town of Upper Alton may regulate the manner and places of laying said railway tracks by said company, and may prohibit, by ordinance, said company from laying tracks at such places as may be deemed injurious to the public.

Borrow money.

§ 8. The said corporation is authorized and empowered to borrow, from time to time, such sums of money as, in their opinion, may be deemed necessary to aid the construction of said railway, and pay therefor any interest, not to exceed ten per cent. and to pledge and mortgage said railway and its appendages or any part thereof, or any other property or effects, rights or credits or appendages of said company, as security for any loan for any money and interest thereon, and to dispose of the bonds issued for such loan at such rate or on such terms as the board of directors may determine.

Interest,

Security for
loan.

Future legisla-
tion.

§ 9. This act and all rights and powers derived therefrom shall forever be and remain subject to all future general legislation of this state, upon the subject of the rates of fare for passengers and freight.

Rights, privile-
ges and immu-
nities.

§ 10. This act and all the rights, privileges, immunities and franchises thereby granted to and vested in the several persons named in the first section thereof, shall cease and be of no force or effect in case the said railway shall not be constructed and finished within two years from and after its passage.

Must be built in
two years.

§ 11. This act shall take effect and be in force from and after its passage.

APPROVED February 20, 1867.

In force Feb'y AN ACT to incorporate the Bloomington and Normal Horse Railway Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John L. Routt, Norval Dixon, Lyman Ferre, Warren C. Watkins, Jesse W. Fell, Owen T. Reeves, W. A. Pennell, C. G. Bradshaw, J. A. Wilson, R. H. Holder, and all such persons as shall become stockholders in the company*

hereby incorporated, shall be a body corporate and politic, by the name and style of "The Bloomington and Normal Horse Railway Company," and under that name and style shall be capable of suing and being sued, impleading and being impleaded, defending and being defended against, in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons. Said corporation may make, have and use a common seal, and change, alter and renew the same at pleasure, and by its corporate name and style shall be capable in law of contracting and being contracted with, and shall be and hereby is vested with all the powers, privileges, franchises and immunities, including the right of acquiring by purchase or otherwise, and holding and conveying all such real estate and personal property as may be needful or convenient to fully carry out and into effect the purposes and objects of this act. The corporation hereby created shall continue for a period of fifty years.

Powers in law.

§ 2. The said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, for the transportation of persons and property, with all convenient sidetracks, and turnouts and appendages, in, over, on and along any and all street or streets, highway or highways, bridge or bridges, within the present or future limits of the city of Bloomington and towns of Bloomington and Normal; and also in, over, on and along any and all street and streets, highway or highways, bridge or bridges within the present or future limits of the village of Normal, in the county of McLean, and state of Illinois, in such manner as shall not obstruct the public travel over, on and along said street or streets, highway or highways, bridge or bridges, and from time to time to change, alter, enlarge and extend the location thereof, and to cross the track or tracks of any other railroad or railroads upon any of its routes: *Provided*, that said corporation shall, before laying down any track or tracks of said railway or railways in the said city of Bloomington, or village of Normal, procure the consent of the city council of said city of Bloomington, or of the corporate authorities of the village of Normal, to the laying down of such track or tracks: *Provided further*, that the line of said railway from the city of Bloomington to the village of Normal shall pass at or near the crossing of the Illinois Central and Chicago & Alton railroads; and that said company shall complete a single track railway from the court house square, in the city of Bloomington, to the village of Normal, in one year from the time when the city council of said city of Bloomington shall give their consent to the laying down of such track from the court house square to the northern limits of said city. Upon the organization of said company as hereinafter provided, the said corporation

Railway track.

Changes—crossings.

Proviso.

Proviso.

Time given for completion—20 years monopoly.

shall have the exclusive right for twenty years to construct, maintain and operate horse railways in the present and future corporate limits of the village of Normal, and in all that part of the town of Normal, McLean county, not included in the present limits of the city of Bloomington.

Locomotion. § 3. The cars or carriages of said railway company shall not be propelled by other than animal power, without the consent of the common council of the city of Bloomington, and the corporate authorities of the village of Normal.

Capital stock. § 4. The capital stock of said company shall be fifty thousand dollars, and may be increased from time to time at the pleasure of said corporation. It shall be divided into shares of one hundred dollars each, and shall be issued and transferred in such manner and upon such conditions as the board of directors may direct.

Directors. § 5. All the corporate powers of said company shall be vested in and exercised by a board of directors, and such officers and agents as they shall appoint. The first board of directors shall consist of the said John L. Rountt, Norval Dixon, Lyman Ferre, Warren C. Watkins, Jesse W. Fell, Owen T. Reeves, W. A. Pennell, C. G. Bradshaw, J. A. Wilson, R. H. Holder, and thereafter, of not less than three nor more than six stockholders, who shall be chosen every year by the stockholders, each share of stock having one vote, to be given by the holder thereof, in person or by proxy; such directors to continue in office until their successors are elected and qualified.

Rules and by-laws. § 6. The said corporation, by its board of directors, to make, ordain and establish all such by-laws, rules and regulations as said directors shall deem needful and expedient to carry into effect the purpose of this act, and for the well ordering, regulation and management of the affairs and business, and interests of said company: *Provided*, the same shall not be repugnant to this act, or the laws and constitution of this state or the United States. The said directors shall have power to levy and collect such rates of toll for the transportation of persons and property as they may deem best: *Provided*, that said corporation shall never charge more than ten cents for carrying a passenger over any of the lines of said railway.

Authority to borrow money. § 7. The said corporation is hereby authorized and empowered to borrow from time to time such sums of money as, in the opinion of its board of directors, may be deemed necessary to aid in the construction and equipment of said railway or railways, and to pay interest thereon not exceeding ten per cent., and to pledge or mortgage the said railway or railways, or any part thereof, or any other property belonging to said company, as security for any loan of money or interest thereon, and to issue bonds of said company for such loan, on such terms and at such rates as the board of directors may determine.

§ 8. The said company may organize whenever twenty thousand dollars shall have been subscribed to its capital stock, and five per cent. thereof paid in. When they may organize.

§ 9. This act shall be deemed and held to be a public act, and shall be in force from and after its passage.

APPROVED February 19, 1867.

AN ACT to incorporate the Ottawa City Horse Railway Company.

In force Feb'y
19, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Abner A. Fisher, William S. Easton, Joseph O. Glover, Robert M. McArthur, George Avery, Dwight F. Cameron and W. Bushnell and their successors, be and they are created a body corporate and politic, by the name of the "Ottawa Horse Railroad Company," for the term of seventy-five years, with all the power and authority incident to corporations for the purposes hereinafter mentioned. Corporators.

§ 2. The said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all necessary and convenient tracks for turnouts, sidetracks and appendages, in the city of Ottawa, as the common council of said city have authorized said corporators or any of them, or shall hereafter authorize said corporation so to do, in such manner and upon such terms and conditions, and with such rights and privileges as the said common council has or may by contract, with said company hereafter prescribe. Authority to build railway.

§ 3. The capital stock of said corporation shall be fifty thousand dollars, and may be increased from time to time, at the pleasure of said corporation. The capital stock shall be divided into shares of one hundred dollars each, and be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct. Capital stock.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors, and such officers and agents as said board shall appoint. The first board of directors shall consist of said Abner A. Fisher, William S. Easton, Joseph O. Glover, Robert M. McArthur, George Avery, Dwight F. Cameron and W. Bushnell, and thereafter of not less than three nor more than seven stockholders, who shall be chosen each and every year, by the stockholders at such time and in the same manner, as said corporation shall by its laws prescribe. The said directors shall hold their offices until their successors are elec- Directors.

ted and qualified, and may fill any vacancies which may happen in the board of directors, either by death, resignation or otherwise; they may also adopt such by-laws, rules and regulations for the government of said corporation, and the management of its affairs and business, as they may think proper, not inconsistent with the laws of this state.

May borrow
money.

§ 5. The said corporation is authorized and empowered to borrow from time to time, such sums of money as in their opinion, may be deemed necessary to aid the construction of said railway, and pay any interest therefor, not exceeding ten per cent., and to pledge and mortgage the said railway and its appendages, or any part thereof, or any other property or effects, rights or credits or appendages of said company, as security for any loan of money and interest thereon, and to dispose of the bonds issued for such loan, at such rate, or on such terms as the board of directors may determine.

Organization.

§ 6. Said company may organize whenever ten thousand dollars shall have been subscribed to its capital stock, and five per cent. thereof paid in, and three of the persons mentioned in the first section of this act shall be commissioners to open books for the purpose of receiving subscriptions to the capital stock of said company.

Time of con-
struction.

§ 7. It shall be the duty of said corporators to begin and prosecute the completion of the said horse railroad within ten years from the passage of said act, or they shall forfeit all rights under this charter.

§ 5. This act shall take effect and be in force from and after its passage.

APPROVED February 19, 1867.

In force April 21, 1867. AN ACT to promote the construction of Horse Railways in the city of Peoria.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That T. S. Bradley, E. H. Jack, J. H. Francis, Louis Green, H. G. Anderson, T. C. Moore and C. W. Rees, and their successors, be and they are hereby created a body corporate and politic, of the name of "The Central City Horse Railway Company," of the city of Peoria, for the term of twenty-five years, with all the powers and authority incident to corporations, for the purposes hereinafter mentioned.*

Name.

Single or double
track railway.

§ 2. The said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all the necessary and convenient tracks for turnouts, sidetracks and appendages, in the city of Peoria, and in, on, over and along such street or streets,

highway or highways, within the present or future limits of the city of Peoria, as the city council of said city have authorized said corporators, or any of them, or shall hereafter authorize said corporation so to do, in such manner, and upon such terms and conditions and with such rights and privileges as the said city council has, or may by contract with said company hereafter prescribe. Privileges, etc.

§ 3. The capital stock of said corporation shall be one hundred thousand dollars, and may be increased from time to time, at the pleasure of said corporation. The capital stock shall be divided into shares of fifty dollars each, and be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors, and such officers and agents as said board shall appoint. The first board of directors shall consist of said T. S. Bradley, E. H. Jack, John H. Francis, Louis Green, H. G. Anderson, T. C. Moore and C. W. Rees, and thereafter of not less than three nor more than seven stockholders, which shall be chosen each and every year, by the stockholders, at such time and in such manner as said corporation shall by its laws prescribe. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen in the board of directors either by death, resignation or otherwise; they may also adopt such by-laws, rules and regulations, for the government of said corporation, and the management of its affairs and business as they may think proper, not inconsistent with the laws of this state. Directors.
By-laws.

§ 5. The said corporation is authorized and empowered to borrow, from time to time such sums of money, as in their opinion may be deemed necessary to aid the construction of said railway, and pay any interest therefor, not exceeding ten per cent. and to pledge and mortgage the said railway and its appendages, or any part thereof, or any other property or effects, rights or credits or appendages, of said company, as security for any loan of money and interest thereon, and to dispose of the bonds issued for such loan at such rate, or on such terms as the board of directors may determine. Indebtedness.

§ 6. Said company may organize, whenever ten thousand dollars shall have been subscribed to its capital stock, and five per cent. thereof paid in, and three of the persons mentioned in the first section of this act, shall be commissioners to open books for the purpose of receiving subscriptions to the capital stock of said company. Time of organization.

APPROVED February 21, 1867.

In force February 21, 1867.

AN ACT to incorporate the Moline and Rock Island Horse Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Ben. Harper, T. J. Robison, S. W. McMaster, Chas. Atkinson, John Dere, John M. Gould and Alfred Webster, their associates and assigns, are hereby created a body politic and*

Name and style

Term.

Powers.

and incorporate by the name and style of "The Moline and Rock Island Horse Railroad Company," and by that name they and their successors shall have all power incident to corporations, for the term of fifty years, for the purposes hereinafter mentioned.

Object.

§ 2. The said corporation is hereby authorized and empowered to construct and maintain and operate by horse, mule or steam power, a single or double track railway, with necessary and convenient tracks for turnouts, for side tracks and appendages, in the town of Moline and city of Rock Island, and over and along such streets, roads, highways or bridges within the limits of said town of Moline and city of Rock Island, and over the county road between the limits of said Moline and Rock Island, in such manner as shall be authorized by the authorities having jurisdiction over said streets, roads and highways.

Officers.

§ 3. Said corporation may own and possess real estate sufficient for the accommodation and convenience of their business, and may transport on said road passengers and commodities at such rates of fare as shall be fixed by the by-laws and regulations of said company.

By-laws.

§ 4. The business, management and direction of the affairs of said company shall be vested in a board of directors, to be elected by the stockholders from among themselves, and said company are hereby authorized to establish any by-laws or regulations, and to alter or amend the same as shall appear necessary to carry out the provisions of this act: *Provided*, the said by-laws and regulations do not conflict with or be repugnant to the laws of this state or of the United States.

Capital stock.

§ 5. The capital stock of this corporation may be one hundred thousand dollars, (\$100,000), with the right to increase the same, if required to promote the facilities of said corporation.

§ 6. This act to take effect and be in force from and after its passage, and to be a public act.

APPROVED February 21, 1867.

AN ACT to promote the construction of a Horse Railroad in the town of Danville. In force Feb'y 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Joseph G. English, Hiram W. Beckwith, William P. Chandler, Peter Bryer and Raymond W. Hosford, and their successors, be and they are created a body corporate and politic by the name of "The Danville Horse Railway Company," for the term of thirty years, with all the powers and authority incident to corporations for the purposes hereinafter mentioned. Name and style.

§ 2. The said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all necessary and convenient tracks for turnouts, sidetracks and appendages in the town or city of Danville, and in, on, over and along such street or streets, highway or highways within the present or future limits of the town or city of Danville, as the town or common council of said town or city may hereafter authorize said corporation to do, in such manner and upon such terms and conditions, and with such rights and privileges as said council may, by contract with said company, hereafter prescribe. Powers.

§ 3. The capital stock of said corporation shall be one hundred thousand dollars, and may be increased from time to time at the pleasure of said corporation. The capital stock shall be divided into shares of one hundred dollars, and be issued and transferred in such and upon such conditions as the board of directors of said corporation may direct. Capital stock.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The first board of directors shall consist of Joseph G. English, Hiram W. Beckwith, William P. Chandler, Peter Bryer and Raymond W. Hosford, and thereafter of not less than three nor more than seven stockholders, who shall be chosen each and every year by the stockholders, at such time and in such manner as said corporation shall by its laws prescribe. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen in the board of directors, either by death, resignation or otherwise; they may also adopt such by-laws, rules and regulations for the government of said corporation and the management of its affairs and business as they may think proper, not inconsistent with the laws of this state. Officers.

§ 5. That said corporation is authorized and empowered to borrow, from time to time, such sums of money as in Indebtedness.

their opinion may be deemed necessary to aid in the construction of said railway, and pay interest therefor not exceeding ten per cent, and to pledge and mortgage the said railway and its appendages, or any part thereof, or any other property or effects, rights, credits or appendages of said company, as security for any loan of money and interest thereon, and to dispose of the bonds issued for such loan at such rate or on such terms as the board of directors may determine.

Real estate, etc.

§ 6. Said corporation is authorized and empowered to purchase and hold real estate for the offices, stables, car buildings, manufacturing and repair shops of the company, and to sell and dispose of the same whenever they shall not be needed for the purposes of the company.

Organization.

§ 7. Said corporation may organize whenever ten thousand dollars shall have been subscribed to the capital stock, and five per cent. thereof paid in, and three of the persons mentioned in the first section of this act shall be commissioners to open books for the purpose of receiving subscriptions to the capital stock of said company.

APPROVED February 21, 1867.

In force Feb'y AN ACT to promote the construction of horse railways in the city of
23, 1867. Mattoon.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Eben Noyes, Simeon W. True, George R. Gibson, James M. True and Basdel W. Magee, and their successors, be and they are hereby created a body politic and corporate, by the name of "The Mattoon City Railway Company," for the term of fifty years, with all the powers and authority incident to the corporation for the purpose hereinafter mentioned.*

Name—term of
lease.

Powers.

§ 2. The said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway with all necessary and convenient tracks for turnouts, sidetracks and appendages, in the city of Mattoon, and in, on, over and along such street or streets, highway or highways within the present or future limits of the city of Mattoon.

Capital stock.

§ 3. The capital stock of said corporation shall be fifty thousand dollars, and may be increased, from time to time, at the pleasure of said corporation. It shall be divided into shares of fifty dollars each, and be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct.

§ 4. All the corporate powers of said corporation shall Directors. be vested in and exercised by a board of directors and such officers and agents as said board of directors shall appoint. The first board of directors shall consist of Eben Noyes, Simeon W. True, George R. Gibson, James M. True and Basdel W. Magee; and thereafter, of not less than three nor more than seven directors, who shall be chosen each and every year by the stockholders, at such times and in such manner as the said corporation shall by its laws prescribe. The said directors shall hold their office until their successors are elected and qualified, and may fill any vacancies which may happen in the board of directors, by death, resignation or otherwise. They may also adopt such by-laws, rules and regulations for the government of said corporation and the management of its affairs and business as they may think proper, not inconsistent with the laws of this state.

§ 5. The said corporation is hereby authorized to ex- Powers. tend the said railways herein authorized to be built, in the manner aforesaid, to any point or points within the counties of Coles and Moultrie, in this state; and, to enable said corporation to construct any or all of the railways herein authorized, or their appendages, the said corporation is hereby vested with power to take and apply private property for the purpose and in the manner prescribed by an act entitled "An act to amend the law condemning right of way for purposes of internal improvements," approved June 22, 1852, and the several acts amendatory thereof, and may exercise all the powers conferred upon railroad corporations by the twenty-fifth and twenty-sixth sections of "An act to provide for a general system of railroad incorporations," approved November 5, 1849, ascertaining and making recompense for all damages sustained agreeable to the provisions of the act hereinbefore first mentioned.

§ 6. The said corporation is hereby authorized to lay Railways—regulation of. down and maintain its said railway or railways, in, upon, over and along any common highway, or across and over any lands in said counties, but in such manner as not to obstruct the common travel of the public over the same. In all cases where vehicles shall meet the cars or carriages of said railways either in the city or counties, said vehicles shall give way to the cars or carriages on the railway; and the said corporation may take, hold, mortgage and convey real estate.

§ 7. This act shall be deemed a public act, and noticed by all courts as such, without pleading, and shall take effect from its passage.

APPROVED February 23, 1867.

In force Feb'y
23, 1887.

AN ACT to incorporate the Freeport City Railway Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles L. Carrier, J. Wilson Shaffer, Joseph M. Bailey, Frederick C. Ingalls, Robert B. Carrier, Orlando B. Bridwell, Joseph R. Scraggs, Edward L. Conkrite, Fredrick Bartlett and Mathias Hettinger, their associates and successors, be and they are hereby created a body corporate and politic, to be known by the name of the "Freeport City Railway Company," with all the powers and authority incident to corporations, for the purposes hereinafter mentioned.

Name.

Corporate powers.

§ 2. Said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway with all necessary and convenient tracks for turn-outs, sidetracks and appendages, in the city of Freeport in the county of Stephenson, and state of Illinois, in, on, over and along such street or streets, highway or highways, bridge or bridges, alleys, rivers or streams, within the present or future limits of said city of Freeport, as the city council of said city may from time to time authorize, excepting that part of Stephenson street, lying between Walnut street and a point one hundred feet westerly of the track of the Illinois Central railroad; but this act shall not be construed to forbid the construction, maintaining and operating such railway across said portion of Stephenson street, where the same is intersected by other streets.

Private property.

§ 3. Said corporation shall not have power to take and apply private property to its use by process of condemnation.

Extension of railroad line.

§ 4. Said corporation is hereby authorized by and with the consent of the board of supervisors of said county of Stephenson to extend any line of its railway in, upon and along any common highway in said county, outside of said city of Freeport, to any point not exceeding one mile from the point where such line of railway shall cross the boundary line of said city, and such railway shall be so constructed and operated as not to materially obstruct or impair the common travel of the public over such streets.

Steam.

§ 5. The use of steam engines or locomotives shall in no case be permitted on any of the railways of said corporation.

Capital stock.

§ 6. The capital stock of said corporation shall be ten thousand dollars, and the same may be increased from time to time at the pleasure of said corporation. Said stock shall be divided into shares of fifty dollars each, which stock shall be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct.

§ 7. All the corporate powers of said corporation shall be vested in and exercised by a board of directors, consisting of not less than five nor more than fifteen members, and such officers and agents as said board shall appoint ; said directors shall hold their offices for the period of one year and until their successors are duly elected. Directors.

§ 8. The persons named in the first section of this act are hereby appointed commissioners to receive subscriptions to the capital stock of said company, whenever said commissioners shall think it expedient so to do, they may open books for subscription to said capital stock, after having given notice, of their intention so to do by publishing such notice, specifying therein the time and place when and where such books are to be opened, in at least two weekly newspapers, published at said city of Freeport, once in each week, for at least three weeks, and said commissioners shall have power to keep such books open from day to day until the whole amount of stock above specified shall be subscribed, and whenever ten thousand dollars, of said stock shall be subscribed ; and five per cent. thereof paid in, it shall be lawful for said company to elect seven directors who shall constitute the first board of directors of said company. At such election, and at all subsequent elections of directors, each share of stock shall entitle the holder thereof to one vote. The persons named in this act and all other persons desiring so to do, are hereby authorized to subscribe to the capital stock of said company. Commissioners
—duties of.

§ 9. Said directors shall have power to provide for the time and manner of holding the annual elections of directors of said company, and to fill any vacancies which may in any manner occur in said board, until the next annual election, and they shall have power to adopt such by-laws, rules and regulations for the government of said corporation, and the management of its affairs as they may deem proper, not inconsistent with the laws of the United States or of this state. Elections and
vacancies.

§ 10. Said corporation is hereby authorized to take by purchase or donation, and hold such real estate as may be necessary for the accommodation of said corporation in order to enable it to carry out the object of its incorporation, and to sell and convey the same at pleasure ; and said corporation is hereby authorized to mortgage or encumber its property and franchises as the board of directors may deem necessary, in order to carry out the objects of its incorporation. Real estate.

§ 11. Said company is hereby required to construct and have in operation at least one and one-half miles of railway within five years from the passage of this act ; and said company shall not charge for the carriage of passengers over any one of its lines of railway or any portion thereof, more than five cents for each passenger, and said company Time of con-
struction.

shall pay into the city treasury of said city, for the use of said city, two per cent. of the gross earnings of said company from its railways. Such payments to be made by said company at least once in each year, accompanied by a report verified by affidavit, of the total receipts of said company, from the earnings of said railways; and said company shall be required to keep so much of the streets over which said railways shall pass as shall lie between the tracks of such railways in good repair.

Right to construct not exclusive.

§ 12. This act shall not be deemed to confer upon the corporation hereby created the exclusive right to construct and operate railways within said city, and the general assembly hereby expressly reserves the power to confer upon any other person or corporation like powers and franchises within said city, to those conferred by this act, and the rates of charges for the carriage of persons or property by said corporation over said railroads, are hereby made subject to future modification and control by the general assembly.

Capital stock.

§ 13. Whenever the persons named in the first section of this act or a majority of them, shall deem it expedient to enter upon the construction of said railways, they shall before opening books for subscription to the capital stock of said company, request the city council of said city of Freeport to submit this act to the legal voters of said city of Freeport for their ratification, and upon receiving such request, said city council shall and is hereby required to submit this act to the legal voters of said city for their ratification at the next annual election to be held in and for said city: *Provided*, such election shall occur within sixty days next after receiving such request; and in case such general election shall not be held within said sixty days, then said city council shall submit this act to said voters at a special election, to be called and held for that purpose, within sixty days after receiving such request. Such election shall be by ballot, written or printed, or partly written and partly printed, substantially in the following words, "for the city railway," or "against the city railway;" and if at such election the majority of the votes cast shall be "for the city railway," then this act shall be operative, but in case the majority of the votes cast at such election shall be "against the city railway," then this act shall be inoperative until the same shall be ratified at a subsequent general or special election, at which this act shall on like request be submitted to the legal voters of said city, in like manner as above specified: *Provided*, that this act shall not be submitted to the voters of said city for their ratification twice within any one year.

Period of franchises, etc.—value of.

§ 14. Said corporation is hereby authorized to exercise the powers and franchises granted by this act, for and during the period of thirty years from and after the passage of this act. At the expiration of the said period of thirty years, the value of the said railways, cars and other property and

franchises then belonging to said company shall be appraised by five competent, skillful and disinterested commissioners, of whom two shall be selected by said corporation, two by the city council of said city and one by the circuit court of said county of Stephenson, neither of whom shall be residents of said city or in any way interested in the affairs of said corporation; and in case of the refusal or neglect of said corporation or said city to select such commissioners, the same shall be selected by said circuit court; and said commissioners shall before entering upon the duties of their office be severally sworn, fairly and impartially to appraise the value of said railways, cars, property and franchises then belonging to said corporation; said commissioners shall thereupon make the appraisement aforesaid and file the same in the office of the circuit clerk of said county of Stephenson. The said city of Freeport may at any time within one year after the filing of such appraisal pay to said company the amount of such appraisal, and upon making such payment shall be invested with all and singular the railways, cars, property and franchises belonging to said company at the time of such appraisal. In case said city shall neglect to take said property at its appraised value within the time above limited, a similar appraisal shall be made at the expiration of each five years after the making of said first appraisal with the same right to said city to take said property and franchises at their appraised value under such new appraisement, and until said city of Freeport shall elect to take said property at its appraised value, and shall pay said corporation therefor. The corporation hereby created shall continue to exercise the powers and franchises conferred by this act.

Commissioners' duties, etc.

§ 15. This act shall be deemed and taken to be a public act, and shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Belleville City Railway Company.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel B. Chandler, Edward Abend, George C. Eisenmeyer, Henry Abend, David Q. Phillips, Joseph Kirkpatrick, Edward F. Leonard, John W. Bunn and Edward H. Fleming, and Frederick S. E. Scheel and their associates and successors, be and they are hereby created a body politic and corporate, by the name of the "Belleville City Railway Company," with perpetual succession, with all the powers

Name.

and authorities incident to corporations, for the purposes hereinafter mentioned.

Powers.

§ 2. The said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all necessary and convenient tracks for turnouts, sidetracks and appendages, in the city of Belleville, and in, on, over and along such street or streets, highway or highways, as the said company may elect, within the present or future limits of the city of Belleville.

Capital stock.

§ 3. The capital stock of said corporation shall be fifty thousand dollars, and may be increased from time to time, at the pleasure of said corporation. It shall be divided into shares of one hundred dollars each, and be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct.

Officers and directors.

§ 4. All the corporate powers of said company shall be vested in and exercised by a board of directors, and such officers and agents as the said board of directors shall appoint. The first board of directors shall consist of Samuel B. Chandler, Edward Abend, George C. Eisenmeyer, Henry Abend, David L. Phillips, Joseph Kirkpatrick, Edward F. Leonard, John W. Bunn and Edward H. Fleming, Frederick E. Scheel and thereafter of not less than five, nor more than seven stockholders, who shall be chosen each and every year by the stockholders at such time and in such manner as the said corporation shall by its laws prescribe. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen in the board of directors, by death, resignation or otherwise; they may also adopt such

By-laws.

by-laws, rules and regulations, for the government of said corporation and the management of its affairs and business as they may think proper, not inconsistent with the laws of this state.

Extension limits.

§ 5. The said corporation is hereby authorized to extend the said several railways herein authorized to be built in the manner aforesaid, to any point or points in the county of St. Clair, in this state; and to enable said corporation to construct any or all of the railways herein authorized, or their appendages, the said corporation is hereby vested with power to enter upon and take possession of, and use any and all such lands and real estate as may be necessary for their construction or maintenance in the manner prescribed by an act entitled, "An act to amend the law condemning right of way for purposes of internal improvement," approved June 22, 1852, and the several acts amendatory thereof; and may exercise all the powers conferred upon railroad corporations by an act entitled, "An act to provide for a general system of railroad incorporation," approved Nov. 3d, 1849. All lands and real estate so entered upon and taken possession of, shall be paid for by said corporation in dam-

ages agreeably to the provisions of the act hereinbefore first mentioned. And whenever it shall be necessary for the construction of said railway, to intersect or cross a track of any other railroad or any stream of water or water course, or road or highway on the route of said railway, it shall be lawful for the company to construct their railway across, upon, in, over or along the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, road or highway to its former state, or in a sufficient manner not to materially impair its usefulness.

§ 6. The said corporation may take and transport upon said railway, any persons, merchandise or other property by any competent force and power; and may fix, establish, take and receive such rates of toll for all passengers and property, transported on the same, as the directors shall from time to time establish, not exceeding the terms usual with like railway companies.

§ 7. The said corporation are empowered to borrow money to be used in the construction of said railway, and to mortgage their corporate property and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purposes aforesaid; and to dispose of bonds issued for money borrowed as aforesaid, at such rates and on such terms as the board of directors may determine.

APPROVED February 25, 1867.

AN ACT concerning the Capital Railway Company of Springfield.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the proceedings for the organization of the Capital Railway Company be in all respects, and the same are hereby validated, and the said company is hereby recognized and declared a valid corporation under the laws of this state, and all proceedings of said corporation heretofore done in its corporate name, are declared good and effectual as corporate acts and liabilities incurred by said company are declared binding upon said corporation.

§ 2. That said corporation shall have power to construct, operate and maintain a single track horse railway, with all necessary turn-outs and switches from "Tenth street along and upon Monroe street westerly to its junction with Walnut street, thence south along Walnut street to Governor street, thence westerly along Governor street to the city limits of the city of Springfield, and thence westerly one-half mile beyond the city limits": *Provided, however*,

that the grade of said streets, or the road-bed thereon, shall not be changed but by consent of the city council of the city of Springfield. And said company may hold and acquire all such property, real and personal, as may be necessary and convenient in constructing, operating or maintaining said road.

Right of way.

§ 3. Said company shall have the right to acquire the right of way for their said road beyond the city limits, by grant, gift or otherwise, from the land owners, and any such grant, release or gift heretofore made to said company shall be good and effectual for the purposes intended, and said company may acquire and hold real estate in fee simple not exceeding three acres, for the purposes of operating their said road, housing their carriages, horses or office connected therewith.

Capital stock.

§ 4. The capital stock of said corporation shall be fifty thousand dollars, which shall be divided into shares of one hundred dollars (\$100) each, and said company shall have power to increase the same from time to time, as it may determine, and said stock shall be considered as personal property, and shall be transferable, in accordance with the by-laws of said corporation.

Subscriptions.

§ 5. Said corporation, through its directors, shall have power from time to time to call for all subscriptions to the capital stock thereof, heretofore or hereafter to be made, and upon thirty days' notice of such call, published in some newspaper of the city of Springfield, may either sue for and collect such subscriptions or portions called for, or upon default being made in the payment thereof for thirty days after the same shall have become payable, may, at the expiration of said thirty days, forfeit the stock of any delinquent subscriber, and all payments thereon to said company, by a declaration of such forfeiture on the books of said company.

Management of affairs.

§ 6. The affairs of said company shall be managed by a board of directors of not less than three, to be annually elected by the stockholders in such manner as may be determined by the by-laws of said corporation, and said company shall have the right to adopt and enforce all by-laws deemed necessary and proper for the government of said corporation, not inconsistent with the laws and constitution of this state or of the United States; and said company may prescribe and enforce reasonable rules for the preservation of good order by passengers on their trains.

Rates of fare.

§ 7. Said company shall be entitled to charge and collect such fares for carrying passengers as from time to time it may deem reasonable, and which shall be uniform in respect of persons.

APPROVED February 25, 1867.

AN ACT to incorporate the LaSalle and Peru Horse Railway Company. In force March 6, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Willis M. Hitt, Richard Cody, David L. Hough, E. Fallett Bull, Theron D. Brewster, William B. Day and Philip K. Behrend, and their associates, successors, heirs and assigns, are hereby created a body politic and corporate, by the name and style of "The LaSalle and Peru Horse Railway Company," and by that name shall have perpetual succession, with all the powers and authority incident to corporations, for the purposes hereinafter named. Name and style

§ 2. The said corporation is hereby authorized, and empowered, to construct, maintain, and operate a single or double track railway, with all necessary and convenient tracks for turnouts, sidetracks and appendages, in the cities of LaSalle and Peru, as the city councils of said cities have or may authorize said corporators to do, in such manner, and upon such terms and conditions, and with such rights and privileges as the said city councils have, or may by contract with said company hereafter prescribe. Powers, etc.

§ 3. The capital stock of said corporation shall be fifty thousand dollars, and may be increased from time to time, at the pleasure of the corporation. The capital stock shall be divided into shares of fifty dollars each, and be issued and transferred, in such manner, and upon such conditions, as the board of directors of said corporation may direct. Capital stock.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board of directors shall appoint. The first board of directors shall consist of Willis M. Hitt, Richard Cody, David L. Hough, E. Fallett Bull, Theron Brewster, William B. Day and Philip K. Behrend, and thereafter of not less than five nor more than seven stockholders, who shall be chosen each and every year by the stockholders, at such time and in such manner as the said corporation shall, by its laws prescribe. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen in the board of directors by death, resignation or otherwise. They may also adopt such by-laws, rules and regulations, for the government of said corporation, and the management of its affairs and business, as they may think proper, not inconsistent with the provisions of this act, or the laws of this state. Directors.

§ 5. To enable said corporation to construct said railway, with the necessary appendages, it is hereby vested with power to take and apply private property for the purpose, and in the manner prescribed by an act entitled, "An act to amend the law condemning right of way for purposes of Private property.

internal improvement," approved June 22, 1852, and the several acts amendatory thereof, and may exercise all the powers conferred upon railroad corporations, by the 25th and 26th sections of an act to provide for a general system of railroad incorporations, approved November 5, 1849, as containing and making recompense for all damages sustained, agreeable to the provisions of the act hereinbefore first recited.

Bonds, etc.

§ 6. The said corporation is hereby authorized and empowered to issue bonds, to aid in the construction of said railway; said bonds to bear a rate of interest not exceeding ten per cent. The principal and interest of said bonds to be payable at such time and place, as the board of directors may elect. The said bonds shall constitute a first lien upon said railway and its appendages.

Corporation subscription.

§ 7. The said cities of LaSalle and Peru are hereby authorized to subscribe to the capital stock of said corporation, to an amount not exceeding the sum of ten thousand dollars each, and shall make such subscription in the same manner, as cities and counties are authorized to subscribe for stock in railroad companies, by the provisions of an act entitled an act, supplemental to an act, entitled "An act to provide for a general system of railroad incorporations," approved November 6, 1849, which is hereby incorporated with and made a part of this act: *Provided*, however, that no registration of voters shall be required for the election at which such question shall be submitted to the electors of said cities.

Proviso.

Convey, hold and mortgage personal property.

§ 8. The said corporation are hereby authorized to purchase, hold, convey, and mortgage real and personal property, for the purposes contemplated by this act. This act shall be subject to all future legislation of this state, with reference to rates of fare for transportation of goods or passengers.

Construction of act.

§ 9. This act shall be taken and deemed a public act, shall be liberally construed in all courts and places, and shall be in force from and after its passage.

APPROVED March 6, 1867.

In force March 5, 1867. AN ACT to incorporate the Chicago and Calumet Horse and Dummy Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Charles H. Machin, John G. Osborne, John L. Thompson, Benjamin F. Smith and Charles C. Copeland, and their associates and successors, are hereby made a body corporate and po-*

litic, by the name and style of "The Chicago and Calumet Horse and Dummy Railroad Company," and as such corporation, shall exist with all the powers herein granted for the period of twenty-five years only; may sue and be sued, have a common seal, may make by-laws, make contracts, and have and enjoy so much real estate as shall be necessary for their business.

§ 2. It shall be lawful for said company to locate a horse or dummy engine railroad, with one or more branches, and along and upon any of the streets, roads or highways, in the county of Cook, outside of the limits of the city of Chicago, and east of a line corresponding with the west line of State street in Chicago if extended, that shall be designated and approved by the board of supervisors of Cook county. And the said company may extend their railroad or branches, from time to time, subject to the same approval, and may construct and operate the same, with necessary turnouts, switches and sidetracks, and run thereon cars drawn by horses or cars with engines attached, commonly called dummy engines, for the carrying of passengers; and may charge and collect fare therefor. The said road shall not extend into the city of Chicago, nor shall said company have the power to condemn lands or lots for the use of their road.

§ 3 The capital stock of said company shall be one hundred thousand dollars, but the same may be increased from time to time by a vote of the stockholders, to three hundred thousand dollars. The stock shall be divided into shares of one hundred dollars each, to be deemed personal property, and transferable assuch on the books of the company in the manner prescribed by the by-laws.

§ 4. The business of the company shall be conducted by a board of five directors, who shall have power to appoint officers and agents and prescribe their duties; to make by-laws, to determine times when, and the installments in which the stock shall be paid. The directors shall be elected annually by the stockholders. Each share of stock shall entitle the holder thereof to one vote in the election of directors, and in increasing the capital stock.

§ 5. This act shall be a public act and be in force from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Galesburg Horse Railway Company.

In force March 6, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edwin Post, A. A. Smith, W. S. Gale, L. E. Conger, and R. W. Whitney, John B. Colton, John Becker, of the city of Gales-

Name and style
Subscription. burg, and their associates, successors, heirs and assigns, are hereby created a body politic and corporate, by the name and style of the "Galesburg Horse Railway Company."

Elections—
directors. § 2. A majority of said persons named in section one of this act, or their respective heirs, successors and assigns, may open books for subscription to the capital stock of said company, which shall be fifty thousand dollars, in shares of one hundred dollars each; and said capital stock may be increased from time to time, as the exigencies of said company may require. Upon subscription being made, and the said capital of twenty thousand dollars, and five per cent. thereof paid in, a majority of said named persons may, or their respective successors, heirs and assigns may call a meeting of the stockholders of said company, for the election of five directors of said company; such directors shall hold their office for one year, and until their successors are elected; and they may appoint a president, and other needful officers for said company, who shall hold their offices for like time, unless sooner removed.

Business and
operations. § 3. Upon such organization, said company may and shall [have] the exclusive right and privilege to establish and operate, upon and over the streets of the city of Galesburg, railways for carrying persons and things, for the term of fifty years from the passage of this act, with all convenient appendages thereto. Said company shall have power and may exercise such powers as are or may be necessary for the purposes contemplated by this act, not repugnant to the laws of the United States or of this state: *Provided*, said company shall commence laying such track within six years from the passage hereof.

Laying tracks. § 4. The city council of said city may regulate the manner and places of laying railway tracks by said company, and may prohibit, by ordinance, said company from laying its tracks at such places as may be deemed injurious to the public.

Rates of fare. § 5. This act and all powers and rights derived therefrom, shall forever be and remain subject to all future and general legislation of this state upon the subject of rates of fare for passengers and freights.

§ 6. This act shall be deemed and taken to be a public act, and take effect and be in force from and after its passage.

APPROVED March 6, 1867.

AN ACT to incorporate the Decatur Horse Railway and Carrying Company. In force March 9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Franklin Priest, Wm. J. Usrey, John O. Sloan, Berry H. Cassell, Abraham B. Bunn, Wm. L. Hammer, Henry B. Durfee, Samuel F. Hawley, James C. Lake, John R. Race, Jasper J. Peddicord, Charles A. Tuttle, DeWitt C. Shockley, William Lintner, and William A. Barnes, Edward O. Smith, Henry Prather, Henry Schlandeman, and their associates, successors and assigns, are hereby created a body corporate and politic, by the name and style of the "Decatur Horse Railway and Carrying Company," for the term of fifty years, with all the powers and authority incident to corporations for the purposes hereinafter mentioned.

Corporators.

Name and style

§ 2. That said company is hereby authorized and empowered to construct, maintain and operate a single or double track railway for carrying persons and property, with all necessary and convenient tracks for turnouts, side tracks, and appendages, in the city of Decatur, in Macon county, and state of Illinois; and in, on, over and along such street or streets within the present or future limits of said city of Decatur, as the city council of said city may hereafter prescribe; and in, on, over and along any highway or highways within two miles of the court house in said city and county, but not so as to impair the usefulness of said highway or highways for highway purposes. In all cases, private vehicles shall give way for the cars running on said railway.

Business and operations.

§ 3. The capital stock of said corporation shall be one hundred thousand dollars, and may be increased, from time to time, at the pleasure of said corporation; the capital stock shall be divided into shares of one hundred dollars each, and be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct.

Capital stock.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The first board of directors shall consist of William Lintner, Edward O. Smith, William A. Barnes, Charles A. Tuttle, James C. Lake, Henry Prather, Franklin Priest, William J. Usrey, Abraham B. Bunn, and thereafter of not less than three nor more than eight stockholders, who shall be chosen each and every year by the stockholders of said company, at such time and in the manner as said company shall, by its by-laws, prescribe. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen either by death, resignation or otherwise; they may also

Government of affairs.

adopt such by-laws, rules and regulations, for the government of said company and the management of its affairs and business, as they may think proper, not inconsistent with the laws of this state.

Indebtedness. § 5. The said company is authorized and empowered to borrow, from time to time, such sums of money as, in their opinion, may be deemed necessary to aid in the construction of said railway, at any rate of interest not to exceed ten per cent. per annum, and to pledge or mortgage said railway and its appendages, or any part thereof, as security for such money and interest thereon, and to dispose of the bonds issued for such loan, on such terms as the board of directors may determine.

Organization. § 6. Said company may organize whenever ten thousand dollars shall have been subscribed to its capital stock, and five per cent thereof paid in; and the board of directors aforesaid, or such person or persons as they may for that purpose appoint, shall be authorized to open books for subscription to the capital of said company.

Subscription. § 7. This act shall be deemed a public act, and take effect and be in force from and after its passage.

APPROVED March 9, 1867.

in force March 9, 1867. AN ACT to incorporate the El Paso Horse Railway and Carrying Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George L. Gibson, John T. Harper, Daniel B. Webster, George W. Fridley, Robert G. Ingersoll, Samuel Saltonstall, James M. Harper, R. T. Cassell, Samuel H. Mitchell and George H. Campbell, and their associates and successors, heirs and assigns, be and they are hereby created and constituted a body corporate and politic by the name of "The El Paso Horse Railway and Carrying Compay," with all the powers and authority incident to corporations.

Name. Business and operations. § 2. The said corporation may and shall have the exclusive right and privilege to establish and operate upon and over the streets of the city of El Paso, railways for carrying persons and things for the term of fifty years from the passage of this act; and said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all necessary and convenient tracks for turnouts, sidetracks and appendages, in the city of El Paso, and in, on, over and along such street or streets, highway or highways within the present or future limits of the city of El Paso.

§ 3. The capital stock of said corporation shall be fifty thousand dollars, and may be increased from time to time at the pleasure of said corporation. It shall be divided into shares of one hundred dollars each, and be issued and transferred and paid in in such manner and upon such conditions as the board of directors of said corporation may direct.

Capital stock.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors, and such officers and agents as said board of directors shall appoint. The first board of directors shall consist of John T. Harper, George L. Gibson, Robert G. Ingersoll, Daniel B. Webster, Robert T. Cassell, George H. Campbell, George W. Fridley, Samuel H. Mitchell, James M. Harper and Samuel Saltonstall, and thereafter of not less than three nor more than seven stockholders, who shall be chosen each and every year by the stockholders at such time and in such manner as the said corporation shall by its laws prescribe. The said directors shall hold their office until their successors are elected and qualified, and may fill any vacancies which may happen in the board of directors by death, resignation or otherwise. They may also adopt such laws, rules and regulations for the government of said corporation and the management of its affairs and business as they may think proper, not inconsistent with the laws of this state.

Management of affairs.

§ 5. The said corporation is hereby authorized to extend the said several railways herein authorized to be built in the manner aforesaid, to any point or points within the city of El Paso, and to enable the said corporation to construct any or all of the railways herein authorized, or their appendages, the said corporation is hereby vested with power to take and apply private property for the purpose and in the manner prescribed by an act entitled "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, 1852, and the several acts amendatory thereof, and may exercise all the powers conferred upon railroad corporations by the twenty-fifth and twenty-sixth sections of "An act to provide for a general system of railroad incorporations," approved November 5th, 1849, ascertaining and making recompense for all damages sustained agreeable to the provisions of the act hereinbefore first mentioned: *Provided*, the city council of said city of El Paso may regulate the manner and places of laying railway tracks by said company and may prohibit by ordinance said company from laying its tracks at such places as may be deemed injurious to the public, and the fare for each passenger shall not exceed six cents.

Extension of—
private prop-
erty taken.

Proviso.

§ 6. In all cases where vehicles shall meet the cars or carriages of said railway said vehicles shall give way to the cars or carriages on the railway; and the said corporation

Other vehicles
to give way.

may purchase, take, hold, mortgage, lease and convey real estate.

Indebtedness.

§ 7. The said corporation is authorized and empowered to borrow from time to time such sums of money as in their opinion may be deemed necessary to aid the construction of said railway, and pay any interest therefor, not exceeding ten per cent., and to pledge and mortgage the said railway or railways and its appendages, or any part thereof, or any other property or effects, rights or credits of said company as security for any loan of money or interest thereon, and to dispose of the bonds issued for such loan at such rate or on such terms as the board of directors may determine.

§ 8. This act shall be a public act and noticed by all courts as such without pleading, and shall take effect and be in force from and after its passage.

APPROVED March 9, 1867.

In force Feb'y
18, 1867.

AN ACT to incorporate the Alton Horticultural Society.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John M. Pearson, David E. Brown, Henry G. McPike, James E. Starr and B. F. Long, officers, and their associates, members of the Alton Horticultural Society, be and are hereby declared to be a body politic and corporate under that name and style.

Name and style

Object.

§ 2. The object of the society being to advance the theory and practice of horticulture, they shall be allowed for these purposes only to acquire and hold real and personal estate to the amount of fifty thousand dollars.

Powers.

§ 3. This society shall have power to contract and be contracted with, to sue and be sued, to plead and to be impleaded, to answer and be answered unto, in all the courts of law and equity of this state, and shall further enjoy all the privileges incident to corporations of said character and not inconsistent with the laws of this state.

Seal, etc.

§ 4. It shall and may be lawful for said corporation to have and use a common seal, and the same at their pleasure to change, alter and make anew, and in general have and exercise all such rights, privileges and immunities as by law are incident to or necessary to the society herein constituted.

Constitution
and by-laws—
power to re-
peal, etc.

§ 5. The society shall have power to alter or amend their present constitution, to make, alter or repeal such by-laws as may be deemed necessary for carrying out the objects of the society.

§ 6. This act shall be in force from and after its passage.

APPROVED February 18, 1867.

AN ACT to incorporate the Jerseyville Hotel Company.

In force Feb'y
13, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Shepherd, Hugh N. Cross, Henry O. Goodrich, John M. Smith, John L. White, Clarence Hammolton, F. Bertman, John E. Sandford, George H. Jackson, Benjamin Wedding, Levi D. Corey, J. George Scharz, Charles H. Bowman, N. L. Adams and O. P. Powel, shall be and are hereby constituted and declared a body corporate and politic, by the name and style of "The Jerseyville Hotel Company," from and after the passage of this act; and by that name they and their successors shall have successions, and shall in law be capable of suing and being sued, plead and be impleaded in all courts and places whatsoever; may have a common seal, and alter the same at pleasure; and their successors may, also, by that name and style, be capable in law of purchasing, accepting, holding, selling and conveying real and personal estate, for the benefit of said company.

Name and style

Corporate powers.

§ 2. The said company, hereby incorporated, shall have power to erect a hotel in the town of Jerseyville, state of Illinois, and to have and use such powers and privileges in the erection of said hotel, not inconsistent with the laws of this state, as may be conducive to the interest of said company.

Business powers.

§ 3. The capital stock of said company may consist of fifty thousand dollars, to be divided into shares of one hundred dollars each.

Capital stock.

§ 4. At their first meeting the stockholders of said company shall proceed to elect five directors by ballot, who shall manage, direct and govern the affairs of said company for one year from the period of their election, and until their successors are elected and qualified; and at every election each stockholder shall be entitled to one vote for each share he may hold; and a majority of all votes given shall be required to make an election. The period of election of directors as aforesaid shall be held annually, on the first Tuesday of the month in which the first election shall be held.

Election for directors.

§ 5. Within ten days 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 election of a president from their own body, a secretary, who shall be sworn by some justice of the peace, to the faithful discharge of his duty, and who shall also act as treasurer of said company, who shall record all votes of the corporation in a book kept by him for that purpose, who shall give bond to such an amount and in such manner as said president and directors shall direct; and the board

Meetings—president and officers.

shall appoint all other officers and agents as to them shall seem necessary.

Stock subscrip-
tion—calls for
—notice of—
payment of—
delinquents.

§ 6. The corporation shall have power to call for such portion of the stock subscribed, as they may think proper, to be paid at such time and place as they may designate, by giving ten days' notice to each stockholder, in writing, or publishing the same in some newspaper in said town of Jerseyville, in which shall be specified the amount required on each share, and the time and place of payment, and if any stockholder shall neglect or refuse to pay such call within ten days after the time named for such payment, the corporation may bring suit against any delinquent for the amount due and called for, in any court of competent jurisdiction, and recover the same with two per cent. interest per month, and if the amount can not be made on execution or if said delinquent is out of the state, then the corporation may by an order on their books, declare such stock forfeited to the corporation, with whatever may have been paid thereon, and such delinquent shall forfeit all his rights as a stockholder.

By-laws, etc.

§ 7. The said president and directors shall have power to make out and establish all such by-laws, rules and regulations as shall be necessary and not inconsistent with the laws of this state, which may be necessary for the payment or collection of the subscription to this stock or the transfer of the same, and of property that may in any other way concern the management and direction of the affairs of said company.

§ 8. This act shall be construed favorably in all courts, and shall be in force from and after its passage, until a majority of the stockholders may vote for its dissolution.

APPROVED February 18, 1867.

In force Feb'y
9, 1867.

AN ACT to incorporate the Aurora Hotel Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles L. Hoyt, M. McFarland, Eugene Canfield, R. W. Gates, Daniel Volentine, L. A. Winslow, William V. Plum, Charles A. Goodwin, Allen W. Stolp and A. G. McDole, and their associates and assigns, are hereby constituted a body politic and corporate, by the name and style of the "Aurora Hotel Company," and by that name and style, they and their successors shall have perpetual succession, and shall be capable in law or equity of suing and being sued, pleading and being impleaded, answering and being answered unto in all courts and places whatsoever, and as

Name and style

owers.

such may have a common seal, and may change or alter the same at pleasure; and they and their successors may also, by that name and style, be capable of purchasing, holding, conveying and incumbering such real and personal estate as may be necessary for the purposes of said corporation.

§ 2. Said company shall have and is hereby vested with power to erect and finish in complete order a hotel in the city of Aurora, and it is hereby authorized to carry on the business of a hotel in said city, and to use and exercise all powers and privileges that may be useful or necessary for carrying on said business. Business powers.

§ 3. The capital stock of said company shall be fifty thousand dollars, (\$50,000) and shall be divided into one thousand shares of fifty dollars each. Said stock may be increased from time to time by order of a majority of the stockholders at any meeting of said company, or of the board of directors of the same, to an amount not exceeding the sum of two hundred thousand dollars, (\$200,000.) Capital stock,

§ 4. The first meeting of said corporation may be called by any two of the corporators herein named, by giving one week's notice in any newspaper published in said city of Aurora, of the time and place of said meeting, at which, or at any subsequent meeting of the same, said corporators may adopt such by-laws not inconsistent with the laws of this state, as the interests of said corporation may require, and also provide upon what terms and conditions, and in what mode the said stock of said corporation may be subscribed and taken. Meetings.

§ 5. When five hundred shares of said capital stock shall have been subscribed, it shall be the duty of said corporators, or such number of them as may have been designated for that purpose, at some meeting of the same, to call a meeting of the subscribers to such stock, by giving not less than ten days' notice in some newspaper published in said city, at which meeting said subscribers shall proceed to elect nine directors for said corporation, who when elected shall organize by the election of a president, vice-president, secretary and treasurer, and who from thence shall exercise all the powers of said corporation. Organization.

§ 6. Such board of directors shall within three months from the time of their election as aforesaid, fix the time for the annual meeting of the stockholders of said corporation, at which time annually, said board of directors shall be elected, unless said corporation at some annual meeting shall otherwise provide. Notice of such annual meetings shall be given each year as is hereinbefore provided: *Provided, however,* that in case any default in any of the provisions of this section shall be made, this charter shall not be held to be forfeited thereby, nor shall said corporation be held to be without an organization by reason thereof: *And* Directors.

Proviso.

Proviso

provided further, that the officers of said corporation shall remain in office in all cases, until his or their successor or successors shall be duly elected and qualified, according to the provisions of this charter, or the rules of said corporation.

§ 7. This act shall be deemed to be a public act, and shall take effect from and after its passage.

APPROVED February 9, 1867.

In force Feb'y
9, 1867.

AN ACT to incorporate a hotel company in the city of Quincy.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John Wood, Charles H. Curtiss, Elijah Gove, Thomas Jasper, James W. Singleton, Henry Root, Edward Wells, Almeron Wheat, Willard Keyes, James M. Pitman, Charles A. Savage, Onias C. Skinner, J. J. S. Wilson, Isaac O. Woodruff, James D. Morgan, Amos Green, William McFaddon, Robert S. Benneson, Isaac N. Morris, John P. Cadogan, and Emerson M. Miller, and their associates, heirs and assigns, are hereby constituted a body politic and corporate, by the name and style of the "Quincy Hotel Company," and by that name and style they and their successors shall have perpetual succession, and shall be capable in law of suing and being sued, pleading and being impleaded, answering and being answered, in all courts and places whatsoever; and as such may have a common seal, and may change 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 real and personal estate for the uses and purposes of said corporation; which real estate shall not, however, exceed in quantity ten acres of ground, on which to erect said hotel and other appurtenances which may be necessary to said hotel.

Name and style

Corporate
powers.

Business
powers.

§ 2. Said company shall have and is hereby vested with power to erect and fully complete and furnish a hotel in the city of Quincy, in the state of Illinois; and is also hereby authorized to carry on the business of a hotel in said city and to use and exercise all powers and privileges which may be necessary for transacting said business.

Capital stock.

§ 3. The capital stock of said company shall be two hundred and fifty thousand dollars, and shall be divided into two thousand five hundred shares of one hundred dollars each. Said company shall have the power to increase the capital stock, should it deem it necessary to carry out the object contemplated by said corporation. The corporators, or a majority of them, are hereby authorized to appoint three commissioners to receive subscriptions for said stock, and a book for subscriptions shall be opened at such

Stock subscrip-
tion.

time and place as said commissioners or a majority of them shall appoint, by a notice printed in some public newspaper, published in said city of Quincy, at least ten days before the day appointed for said subscription of stock. If the requisite number of shares shall not then be subscribed, said commissioners shall take such measures to complete said subscriptions, as they or a majority of them shall deem proper. Every subscriber shall pay, at such times and in such amounts as said company may order, such assessments as may, from time to time, be made upon the share or shares of stock subscribed by him.

§ 4. As soon as one thousand shares of said stock shall have been subscribed, said commissioners shall appoint a time and place, by advertisement, as aforesaid, for the meeting of said subscribers, for the purpose of choosing nine directors. At all elections of said company each stockholder shall be entitled to one vote for every share he or she may hold, and may vote by proxy. Said commissioners shall be the judges of the first election, and their certificate of the persons elected shall be evidence of the fact. The elections of directors and other necessary officers, after the first, shall take place and be conducted at such times and such manner as said board of directors shall order. A majority of the said directors, thus chosen, shall have power to transact the business of the corporation and their acts shall be binding on the company. Directors.

§ 5. Said directors shall appoint one of their number president of the board, and shall have power to establish such rules, regulations and by-laws as may be necessary and not inconsistent with the laws of the state and United States, for the transfer and payment of the stock or property of the company, and for the direction and management of its affairs. President.

§ 6. Said corporation shall have power to borrow money at such rates of interest (not exceeding ten per cent. per annum) as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or security therefor the property, real and personal, of said corporation. Said corporation, by its directors, shall have power to require payment of the sums subscribed to the capital stock, at such times and in such proportions as they shall deem fit, and upon such notice being given of such calls for payment, as the rules adopted by said corporation may prescribe; and on failure to pay the same as required, said corporation shall have power either to forfeit the shares of such delinquent stockholders to the company, or to sell the same upon such notice as the rules and by-laws of said corporation may prescribe; and the amount received upon such sales shall be applied first in the discharge of whatever amount may be due from said stockholder by reason of such delinquency, and of all costs of such sale, and the balance, if Indebtedness.

Proviso. any, shall be paid over to such stockholder: *Provided*, that the right of forfeiture or of sale above given shall not prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such calls, by action of debt or assumpsit.

Lease. § 7. Said company shall have the power to lease their property (should they deem it expedient so to do) or any part of the same.

§ 8. This act shall be in force and take effect from and after its passage.

APPROVED February 9, 1867.

In force Feb'y
14, 1867.

AN ACT to incorporate the Paris Hotel Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Andrew J. Hunter, James A. Eads, James K. Douglass, Napoleon B. Stage, Milton M. Dill, William Kile, Lawrence Gats, and Hiram Sanford, [and] all such other persons as have subscribed or may subscribe for stock in an association formed for the purpose of building a hotel in the town of Paris, Edgar county, Illinois, are hereby constituted and declared a body politic and corporate, by the name and style of the "Paris Hotel Company," and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded in all courts of law and equity, and make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold such real and personal estate as may be necessary, useful or convenient to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers, and to make such rules and regulations and by-laws as they may deem proper: *Provided*, the same shall not be inconsistent with the laws and constitution of this state or of the United States.

Name and style

Corporate
powers.

Business
powers.

§ 2. Said corporation shall have power to erect, build and maintain a hotel in the town of Paris, and the capital stock of said company shall be fifty thousand dollars; which shall be divided into shares of fifty dollars each, and such shares shall be considered personal property, and may be transferred in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held respectively by such stockholders in all business meetings of such stockholders.

§ 3. Whenever thirty thousand dollars shall be sub-Organization.
scribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel, and shall have power to fit up, use or lease any portion of said hotel building for stores, bars, saloons, shops, offices, etc., as they may deem proper.

§ 4. Said corporation shall have power to borrow mon-Indebtedness.
ey at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or security therefor the property, real or personal, of said corporation. Said corporation by its managers or directors shall have power to require payment of the sums subscribed to the capital stock, at such times and in such proportions as they shall deem fit; and upon such notice being given of such call for payment as the rules adopted by said corporation may prescribe, and a failure to pay the same as required, said corporation shall have power either to forfeit the shares of such delinquent stockholders to the company, or to sell the same, upon such notice as the rules or by-laws of said corporation may prescribe; and the amount received upon such sales shall be applied, first, in the discharge of whatever amount may be due from said stockholder, by reason of such delinquency, and of all costs of such sales, and the balance, if any, shall be paid over to such stockholder: *Provided*, that if the purchaser of such stock shall be other than said company, he shall be liable for whatever amount of such stock shall have been uncalled for at the time of such purchase: *And provided*, further, that the right of forfeiture or of sale, above given, shall prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such calls, by action of debt or assumpsit. Proviso.

§ 5. This act is hereby declared to be a public act, and the same shall be construed liberally for the purposes herein granted, and shall take effect and be in force from and after its passage. Construction of act.

APPROVED February 14, 1867.

AN ACT to incorporate a Hotel Company in the city of Carlinville.

In force Feb'y
16, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John M. Palmer, Charles A. Walker, William M. Maddox, George H. Holliday, Thaddeus L. Loomis, O. H. O. Anderson, B. T. Burke, A. McKim Dubois and John T. McConnell,*

and their associates, are hereby declared and constituted a body politic and corporate, by the name and style of "The Carlinville Hotel Company," and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts of law and equity, and make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold such real and personal estate as may be necessary, useful and convenient to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers and make such rules, regulations and by-laws, as they may deem proper: *Provided*, the same shall not be inconsistent with the laws and constitution of this state and of the United States.

Name and style

Corporate powers.

Proviso.

§ 2. Said corporation shall have power to erect, build and maintain a hotel in the city of Carlinville, and the capital stock of said company, shall be twenty-five thousand dollars; said company shall have the power to increase the same to fifty thousand dollars, which stock shall be divided into shares of fifty dollars, and such shares shall be considered personal property, and may be transferred in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held respectively, by such stockholders, in all business meetings of such stockholders.

Business powers.

Capital stock.

§ 3. Whenever ten thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock, and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel, and shall have power to fit up, use or lease any portion of said hotel building for stores, offices, etc., as they may deem proper.

Organization.

§ 4. Said corporation shall have power to borrow money at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or security therefor, the property, real or personal, of said corporation. Said corporation, by its managers or directors, shall have power to re-

Indebtedness.

quire payment of the sums subscribed to the capital stock, at such times and in such proportions as they shall deem fit, and upon such notice being given of such calls for payment as the rules adopted by said corporation may prescribe, and on failure to pay the same as required, said corporation shall have power, either to forfeit the shares of such delinquent stockholder to the company, or to sell the same upon such notice as the rules or by-laws of said corporation may prescribe; and the amount received upon such sales shall be applied, first, in the discharge of whatever amount may be due from said stockholder, by reason of such delinquency, and of all costs of such sale, and the balance, if any, shall be paid over to such stockholder: *Provided*, that if the pur-

Payment stock.

Proviso.

chaser of such stock shall be other than such company, he shall be liable for whatever amount of such stock shall have been uncalled for at the time of such purchase: *And provided further*, that the right of forfeiture or of sale above given shall not prevent said company from suing for, and collecting from such delinquent stockholder the amount due upon such calls by action of debt or assumpsit.

§ 5. This act shall be in force from and after its passage.

APPROVED February 16, 1867.

AN ACT to incorporate the DeSoto Hotel Company.

In force Feb'y
16, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in [the] General Assembly*, That Nelson Stillman, William Goldthorp, Joseph Goldthorp, Thomas Gordon, Frank Barr, Lucius S. Felt and Nathan Corwith, and such other persons as may at any time own stock therein, are hereby constituted a body corporate, under the name and style of "The DeSoto Hotel Company;" said company shall have a corporate seal, which may be altered at pleasure; said company is hereby authorized to take a conveyance of lots six, (6) seven (7) and eight, (8) on the east side of Main street, and between Main and Commerce streets, in the city of Galena, in the state of Illinois, and hold and convey the same by contract, lease, deed or otherwise, and bring suits or be sued, in relation thereunto, the same as a natural person might or could do. Name and style

§ 2. The capital stock of said company shall be forty thousand dollars, divided into shares of fifty dollars each, which shall be deemed personal property, and may be issued, and transferred, in such manner as the board of directors shall prescribe. At all meetings of the stockholders, each share of stock shall be entitled to one vote, and owners of stock not present may vote by proxy. Capital stock.

§ 3. After the creation of this charter, the first meeting of said company shall be upon notice signed by a majority of the corporators herein mentioned, and published for thirty days prior to said meeting, in a newspaper published in the city of Galena, in the state of Illinois, specifying the time and place of meeting, at which time the said corporators or a majority present, shall proceed to elect a board of directors, three in number, and the board of directors so elected shall elect one of their number president of the company, and the said president and directors to hold office, as hereinafter provided. The stockholders of said company may at any time call a meeting of said company Meetings—notice of.

Election of directors—president.

for the election of directors, or any other proper purpose, upon a notice signed by such stockholders as own a majority of the stock of said company, specifying the time and place of meeting, and published as is above provided for the first meeting of said company. The president and directors shall continue in office until their successors are elected. The board of directors may appoint a secretary, who may also act as treasurer of the company.

Real estate.

§ 4. The real estate of said company may be conveyed by any proper instrument in writing, signed by the president and directors, and attested by the corporate seal.

§ 5. This act shall be taken as a public act, and be in force from and after its passage.

APPROVED February 16, 1867.

In force Feb'y
18, 1867.

AN ACT to incorporate the Waukegan Hotel Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That William B. Dodge, Charles R. Steele, William C. Tiffany, Clark W. Upton and Henry W. Blodgett, of the city of Waukegan, in the county of Lake, with such persons as may become associated with them under the provisions of this act, are hereby created a body politic and corporate, under the name and style of "Waukegan Hotel Company."*

Name and style

capital stock.

§ 2. The capital stock of said company shall consist of one hundred thousand dollars, to be divided into shares of one hundred dollars, which said capital stock shall be subscribed and paid for in such manner and on such terms as the board of directors of said company shall determine.

owers, etc.

§ 3. Said corporation shall have power to plead and be impleaded, sue and be sued, contract and be contracted with, to the same extent as a natural person, and shall also have power to acquire and hold real estate sufficient for its purposes, and to sell or exchange the same, as its interests may require; and to build and maintain upon the property acquired by it, a hotel, with such other tenements as may be deemed best for the interest of said company, and to lease and manage the same as its board of directors shall from time to time deem proper.

irectors.

§ 4. The affairs of said corporation shall be managed by a board of five directors, who shall be elected annually by the stockholders of said company in such manner as the by-laws of said company shall direct, and who shall hold their offices until their successors shall be chosen; but the persons named in the first section of this act shall constitute the first board of directors.

§ 5. Said corporation is hereby authorized to adopt a seal, and make by-laws for the management of its affairs, not inconsistent with this act, or the laws and constitution of this state; and shall also have power to create such mortgages or liens upon its property as its board of directors shall deem proper to accomplish the purposes of said company; to make and issue bonds or certificates of indebtedness, and secure the payment thereof, with such interest as may be stipulated by conveyance, pledge or mortgage of the property and franchises of said company, in such form and way as the board of directors shall see fit. Indebtedness.

§ 7. This act to take effect and be in force from and after its passage.

APPROVED February 18, 1867.

AN ACT to incorporate the Evanston Hotel Company.

In force Feb'y
20, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That William S. Brewster, John Clough, Joseph M. Lyons, Richard Somers and Edwin Haskin, with such other persons as are or may be associated with them, or such as may become stockholders in the Evanston Hotel Company, are hereby incorporated as a body politic and corporate, by the name and style of the "The Evanston Hotel Company," and under that name and style are capable of contracting and being contracted with, suing and being sued in law and equity, in all places whatsoever, in as full and ample manner as natural persons; and may make and use a common seal, and alter or renew the same at pleasure; and by their corporate name and seal may contract and be contracted with, and shall be and hereby are invested with all the powers, immunities and franchises necessary in acquiring, holding and conveying all real and personal property which may be needful to carry into effect the purposes and objects of this act.*

Name and style

Powers.

§ 2. The said company shall have and is hereby vested with power to erect and finish in complete order, a hotel in the village of Evanston; and it is hereby authorized to carry on the business of a hotel in said village, and to use, exercise all powers and privileges deemed necessary to the successful prosecution of the business of said company. May erect hotel.

§ 3. The capital stock of this company shall not exceed the sum of two hundred thousand dollars, divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued and transferred in such manner as the board of directors may prescribe; and said board of directors shall have power to make Capital stock.

Transfer stock
—delinquents
—notice.

assessments on stockholders in such amounts as they may think proper, in liquidation of the indebtedness of said company; and on refusal or neglect of any stockholder to make payment as aforesaid, on requisition of the board of directors, the share or shares of such delinquent may be sold by order of the board, by giving ten days' notice, under such rules and by-laws as may be established by the board, and the surplus, after deducting the assessment due said corporation, shall be paid to such delinquent stockholders.

Directors.

§ 4. The corporation hereby created shall be managed by a board of directors, of not less than three nor more than five persons, citizens of the village of Evanston, who shall be chosen from and shall be stockholders in said company, and hold their office for two years, or until their successors are elected.

Books of subscription.

§ 5. The incorporators herein named are hereby authorized to open books for the subscription to the stock of said company, at such time and place as they may think proper, and call an election of a board of directors, and each share of stock shall be entitled to one vote, by the holder thereof or his proxy.

President — by-laws—agents, etc.

§ 6. The corporation hereby created, when organized, shall be conducted by its directors, one of whom shall be elected president. They shall have power to make such by-laws, rules and regulations for conducting the affairs of the company, the election of directors, and appoint such officers, agents and employees, and prescribe the duties of the same, as to them may seem necessary, not inconsistent with the laws of this state.

§ 7. This act shall be in force from and after its passage.

APPROVED February 20, 1867.

In force Feb'y 19, 1867.

AN ACT to incorporate a Hotel Company in the city of Bloomington.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Owen T. Reeves, Almon B. Ives, John E. McClun, Peter Whitmer, George Bruner, William I. Lewis, Stephen W. Noble, Frank Oberkoetter, George W. Stipp, William H. Hanna, Asahel Gridley, John M. Scott, Michael Swann and Jacob Hayers, and all such other persons as have subscribed or may subscribe for stock in an association formed for the purpose of building a hotel in the city of Bloomington, Illinois, on lots one hundred and four (104) and one hundred and five (105), in James Allin's first addition to Bloomington, Illinois, are hereby constituted and declared a body*

politic and corporate, by the name and style of the "Bloom- Name and style ington Hotel Company," and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts of law and equity, and make and use a common seal and alter the same at pleasure ; may acquire, by purchase or otherwise, and hold such real and personal estate as may be necessary, useful and convenient to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers, and make such rules, regulations and by-laws, as they may deem proper : *Provided*, the same shall not be inconsistent with the laws and constitution of this state and of the United States.

§ 2. Said corporation shall have power to erect, build Capital stock. and maintain a hotel in the city of Bloomington ; and the capital stock of said company, shall be fifty thousand dollars. Said company shall have the power to increase said capital stock to one hundred thousand dollars ; which stock shall be divided into shares of one hundred dollars, and such shares shall be considered personal property, and may be transferred in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held, respectively, by such stockholders, in all business meetings of such stockholders.

§ 3. Whenever fifty thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel, and shall have power to fit up, use or lease any portion of said hotel building for stores, offices, etc., as they may deem proper. When may organize, etc.

§ 4. Said corporation shall have power to borrow money May borrow money. at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or security therefor the property, real or personal, of said corporation ; said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock at such times and in such proportions as they shall deem fit ; and upon such notice being given of such calls for payment as the rules adopted by said corporation may prescribe, and a failure to pay the same as required, said corporation shall have power either to forfeit the shares of such delinquent stockholder to the company or to sell the same upon such notice as the rules or by-laws of said corporation may prescribe, and the amount received upon such sales shall be applied first in the discharge of whatever amount may be due from said stockholder by reason of such delinquency and of all costs of such sale, and the balance, if any, shall be paid over to such stockholder : *Provided*, that if the purchaser of such stock shall be other than said company he shall be

liable for whatever amount of such stock shall have been uncalled for at the time of such purchase: *And provided, further,* that the right of forfeiture or of sale above given shall not prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such calls, by action of debt or assumpsit, which right so to sue is hereby given to said corporation.

§ 5. This act shall be in force from and after its passage, and is hereby declared to be public act.

APPROVED February 19, 1867.

In force Feb'y
21, 1867.

AN ACT to incorporate the Hyde Park Hotel Company.

Name and style.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Irving J. Pearce, S. S. Benjamin and William W. Strong, and their associates, are hereby created a body corporate and politic, by the name and style of "The Hyde Park Hotel Company," and by that name and style may have perpetual succession; may sue and be sued; have a common seal; make contracts, and own or occupy so much real estate as shall be necessary for the transaction of their business; may make by-laws, and have and enjoy all the rights and privileges and be subject to all the liabilities of a body corporate and politic.

Powers, etc.

§ 2. The said company are hereby authorized to erect, lease, purchase or hire a hotel in the town of Hyde Park, in the county of Cook, and state of Illinois; and may maintain and operate the same, with all necessary stables, out houses and appurtenances or incidents, and be subject to all the liabilities, and have and enjoy all the rights and privileges of innkeepers.

Capital stock.

§ 3. The capital stock of said company shall be one hundred thousand dollars; but the same may be increased, by a vote of the stockholders, to two hundred thousand dollars. The said stock shall be deemed personal property, and shall be divided into shares of one hundred dollars each, on the books of the company, in the manner provided by the by-laws. The business of said company shall be conducted by a board of three directors, to be elected annually by the stockholder; and the directors may make the by-laws and elect or appoint such other officers and agents as they shall deem proper. The capital stock of said company shall be paid in at such times and in the manner and installments required by the directors, and they may declare any share forfeited, on which remains due and unpaid for the period of three months any installment thereon. Each share of

stock shall entitle the holder thereof to one vote in the election of directors or to increase the capital stock.

§ 4. This act shall be a public act, and be in force from and after its passage.

APPROVED, February 21, 1867.

AN ACT to incorporate the Peoria Hotel Company.

In force Feb'y
22, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas S. Dobbins, Tobias S. Bradley, Charles Ballance, L. G. Pratt, J. Littleton, D. C. Farrell, L. Howell, Charles P. King and Washington Cockle, and all such other persons as may subscribe for stock in an association to be formed for the purpose of building a hotel in the city of Peoria, Illinois, are hereby constituted and declared a body politic and corporate, by the name and style of "The Peoria Hotel Company;" and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded in all the courts of law and equity, and make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold such real and personal estate as may be necessary, useful and convenient to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers, and make such rules, regulations and by-laws as they may deem proper: *Provided*, the same shall not be inconsistent with the laws and constitution of this state and of the United States.

Name and style

Powers, etc.

§ 2. Said corporation shall have power to erect, build and maintain a hotel in the city of Peoria; and the capital stock of said company shall be two hundred thousand dollars. Said company shall have the power to increase the same to five hundred thousand dollars; which stock shall be divided into shares of one hundred dollars each, and such shares shall be considered personal property and may be transferred in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held respectively by such stockholders, in all business meetings of such stockholders.

Capital stock.

§ 3. Whenever one hundred thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock, and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said

Organization.

hotel, and shall have power to fit up, use or lease any portion of said hotel building for stores, offices, etc., as they may deem proper.

Indebtedness.

§ 4. Said corporation shall have power to borrow money at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or security therefor the property, real or personal, of said corporation. Said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock, at such times and in such proportions as they shall deem fit; and upon such notice being given of such calls for payment as the rules adopted by said corporation may prescribe, and a failure to pay the same, as required, said corporation shall have power, either to forfeit the shares of such delinquent stockholder to the company, or to sell the same, upon such notice as the rules or by-laws of said corporation may prescribe; and the amount received upon such sales shall be applied, first, in the discharge of whatever amount may be due from said stockholder by reason of such delinquency, and of all costs of such sale, and the balance, if any, shall be paid over to such stockholder: *Provided*, that if the purchaser of such stock shall be other than said company, he shall be liable for whatever amount of such stock shall have been uncalled for at the time of such purchase: *And, provided, further*, that the right of forfeiture or of sale, above given, shall not prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such calls, by action of debt or assumpsit.

Prior acts
repealed.

§ 5. This act shall take the place of and be considered a substitute for an act entitled "An act to incorporate the Peoria Hotel Company," approved by the general assembly Feb. 16, 1865, which said act is hereby repealed.

§ 6. This act shall be in force from and after its passage.

APPROVED February 22, 1867.

In force Feb'y AN ACT to incorporate a Hotel Company in the city of Ottawa, Illinois.
21, 1867.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John D. Caton, Joseph O. Glover, Wm. H. W. Cushman, Julius Avery, D. F. Cameron, Lorenzo Leland, Edward F. Turner, William Reddick, John F. Vash, S. W. Cheever, T. Lyle Dickey and E. Y. Griggs, L. H. Eames, S. C. Walker and Wm. Heckling, and all such other persons as have subscribed or may subscribe for stock in an association formed

for the purpose of building a hotel in the city of Ottawa, in said state, are hereby constituted and declared a body politic and corporate, by the name and style selected by said corporators; and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded in all the courts of law and equity, and make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold such real and personal estate as may be necessary, useful and convenient to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers, and make such rules, regulations and by-laws as they may deem proper: *Provided*, the same shall not be inconsistent with the laws and constitution of this state and of the United States.

Purposes.

Powers.

§ 2. Said corporation shall have power to erect, build and maintain a hotel in the city of Ottawa; and the capital stock of said company shall be two hundred thousand dollars. Said company shall have the power to increase the same to five hundred thousand dollars; which stock shall be divided into shares of one hundred dollars; and such shares shall be considered personal property, and may be transferred in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held respectively by such stockholders, in all business meetings of such stockholders.

Capital stock.

§ 3. Whenever fifty thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock, and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel, and shall have power to fit up, use or lease any portion of said hotel building for stores, offices, etc., as they may deem proper.

Organization

§ 4. Said corporation shall have power to borrow money, at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and convey in pledge or security therefor the property, real or personal, of said corporation. Said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock at such times and in such proportions as they shall deem fit; and upon such notice being given of such calls for payment, as the rules adopted by said corporation may prescribe, and a failure to pay the same, as required, said corporation shall have power, either to forfeit the shares of such delinquent stockholders to the company, or to sell the same, upon such notice as the rules or by-laws of said corporation may prescribe; and the amount received upon such sales shall be applied, first, in the discharge of whatever amount may be due from said stockholder by reason of such delinquency, and of all costs of such sale, and the balance, if any, shall

Indebtedness

be paid over to such stockholder: *Provided*, that if the purchaser of such stock shall be other than said company, he shall be liable for whatever amount of such stock shall have been uncalled for at the time of such purchase: *And, provided, further*, that the right of forfeiture or of sale, above given, shall not prevent said company from suing for or collecting from such delinquent stockholder the amount due upon such calls by action of debt or assumpsit.

§ 5. This act shall be in force from and after its passage.
APPROVED February 21, 1867.

In force Feb'y
23, 1867.

AN ACT to incorporate the Naples Hotel Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John Linkins, John Lindsay, Thomas C. Keener, Frederick S. Reener, Thomas Hollowbush, Peter D. Critzer, James Abrams, Pressley G. Athey, John Abbott, Manoah H. Mauck, Thomas Welch, John Chambers, Henry Dresser, William Frimlin, John A. Fooshee, sen., and Charles B. Lear, and their successors, are hereby constituted a body politic and corporate, for the purposes hereinafter provided, to be called "The Naples Hotel Company."

Name.

Powers, etc.

§ 2. Said corporation shall have the power to build, own and use a hotel building in the town of Naples, Scott county, state of Illinois, of any size and dimensions said company may deem proper, and for that purpose may purchase and own real and personal estate sufficient for said object; and may contract and be contracted with, sue and be sued in all courts having jurisdiction of the suits; and may do all things necessary to carry out the objects of this law.

Capital stock.

§ 3. The capital stock shall be fifteen thousand dollars, and shall be divided into shares of one hundred dollars. The stockholders of said company shall control said company, by electing directors, not exceeding five in number; and in the election of directors, each stockholder shall cast, by himself or proxy, one vote for each share of stock said stockholder may own when said vote is cast.

Directors.

§ 4. The following named persons shall be directors of said company, to-wit: Thomas Hollowbush, Thomas C. Keener, John Abbott, John Linkins and John A. Fooshee, sen., who shall hold their offices until others are appointed or elected by said stockholders. Said directors may pass by-laws and rules for the control of said company, and issue certificates of stock to the stockholders, and may appoint one of their number as president, and one other of

their number as secretary. The president shall be the acting agent for said company, to contract and do all things necessary touching the business of said company, or by his agent that he may appoint, subject, however, to the control and direction of said board of directors.

§ 5. Said company may at any time sell all and every part of their property, including said hotel, and by deed, to be made by order of said directors, by the president thereof, convey the same, and pay all debts, and dissolve said company. Power to sell property.

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

APPROVED February 23, 1867.

AN ACT to incorporate a Hotel Company in the city of Litchfield.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That R. W. O'Bannon, Elizur Southworth, W. S. Palmer, W. E. Bacon, John Grusted, Jacob Beeler, W. T. Elliott, R. W. Davis, James W. Jeffries, H. H. Beach, Wesley Best and H. H. Hood and all such persons as have subscribed or may subscribe for stock in an association formed for the purpose of building a hotel in the city of Litchfield, Illinois, are hereby constituted and declared a body politic and corporate, by the name and style of the "Litchfield Hotel Company," and by that style they may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of law and equity; and make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold, such real and personal estate as may be necessary, useful and convenient, to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers, and make such rules, regulations and by-laws as they deem proper: Provided, the same shall not be inconsistent with the laws and constitution of this state and of the United States.*

Name and style

Corporate powers.

§ 2. Said corporation shall have power to erect, build and maintain a hotel in the city of Litchfield, and the capital stock of said company shall be twenty-five thousand dollars. Said company shall have power to increase the same to one hundred thousand dollars, which stock shall be divided into shares of one hundred dollars; and such shares shall be considered personal property, and may be transferred in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote

Rights and privileges.

for each share of stock held respectively by each stockholder in all business meetings of such stockholders.

Organization. § 3. Whenever ten thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock, and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel, and shall have power to fit up, use or lease any portion of said hotel building for stores, offices, etc., as they may deem proper.

Indebtedness. § 4. Said corporation shall have power to borrow money, at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or security therefor the property, real or personal, of said corporation. Said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock, at such times and in such proportions as they shall deem fit; and upon such notice being given of such calls for payment, as the rules adopted by said corporation may prescribe, and a failure to pay the same as required, said corporation shall have power either to forfeit the shares of such delinquent stockholder to the company or to sell the same, upon such notice as the rules or by-laws of said corporation may prescribe; and the amount received upon such sales shall be applied first in the discharge of whatever amount may be due from said stockholder by reason of such delinquency, and of all costs of such sale, and the balance, if any, shall be paid over to such stockholder: *Provided*, that if the purchaser of said stock shall be other than said company, he shall be liable for whatever amount of such stock shall have been uncalled for at the time of such purchase: *And provided, further*, that the right of forfeiture or of sale above given shall not prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such sales, by action of debt or assumpsit.

§ 5. This act shall take effect and be in force from and after its passage.

APPROVED February 23, 1867.

In force Feb'y
23, 1867.

AN ACT to incorporate a Hotel Company in the town of Carthage.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Hiram G. Ferris, Alexander Sympson, Bryant T. Schofield, Francis M. Corby, Andrew J. Griffith, William C. Hooker, John

M. Ferris and John D. Hamilton, and all such other persons as have subscribed or may subscribe for stock in an association formed for the purpose of building a hotel, in the town of Carthage, Illinois, are hereby constituted and declared a body politic and corporate, by the name and style of "The Carthage Hotel Company," and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts of law and equity; and make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold such real and personal estate as may be necessary, useful and convenient to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers, and make such rules, regulations and by-laws, as they may deem proper: *Provided*, the same shall not be inconsistent with the laws and constitution of this state and of the United States.

Name and style

Powers.

§ 2. Said corporation shall have power to erect, build and maintain a hotel in the town of Carthage; and the capital stock of said company shall be fifty thousand dollars. Said company shall have power to increase the same to one hundred thousand dollars; which stock shall be divided into shares of one hundred dollars; and such shares shall be considered personal property, and may be transferred in such manner as such corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held respectively by such stockholders, in all business meetings of such stockholders.

Capital stock.

§ 3. Whenever ten thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock, and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel, and shall have power to fit up, use or lease any portion of said hotel building for stores, offices, etc., as they may deem proper.

Organization.

§ 4. Said corporation shall have power to borrow money, at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or security therefor, the property, real or personal, of said corporation. Said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock, at such times and in such proportions as they shall deem fit; and upon such notice being given of such calls for payment as the rules adopted by said corporation may prescribe, and a failure to pay the same as required, said corporation shall have power either to forfeit the shares of such delinquent stockholder to the company or to sell the same, upon such notice as the rules or by-laws of said corporation may prescribe; and the amount received upon such sales shall be ap-

Indebtedness.

Forfeiture.

plied, first, in the discharge of whatever amount may be due from said stockholder by reason of such delinquency, and of all costs of such sale, and the balance, if any, shall be paid over to such stockholder: *Provided*, that if the purchaser of such stock shall be other than said company, he shall be liable for whatever amount of such stock shall have been uncalled for at the time of such purchase: *And provided*, that the right of forfeiture or of sale, above given, shall not prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such calls by action of debt or assumpsit.

§ 5. This act shall be in force from and after its passage.

APPROVED February 23, 1867.

In force Feb'y
23, 1867.

AN ACT to incorporate the Jacksonville Hotel Company.

Name and style.

Powers.

By-laws.

Objects.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That James Dunlap, Marshall P. Ayres, Felix G. Farrell, Eugene L. Greenleaf, and William Thomas, be and they are hereby constituted a body politic and corporate, by the name and style of the "Jacksonville Hotel Company," and by that name they and their successors shall have perpetual succession, with power to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places wherever judicial proceedings are or may be had; to purchase, have and hold real and personal property; to adopt, have and use a common seal, and to alter and change the same at pleasure; also, to adopt by-laws, and to amend, alter or repeal the same, for the government of the corporation and all officers, agents and servants employed in and about the business of the company. A majority of said corporators shall constitute a quorum for the transaction of business.

§ 2. The object and business of the said corporation shall be to purchase ground in Jacksonville and erect thereon a hotel and all necessary out buildings, for the accommodation and entertainment of travelers and others, with their horses and other animals, and to keep and maintain the same; and to this end the said corporation shall have power to purchase unimproved ground and place thereon the necessary buildings and improvements, or to purchase grounds improved and add thereto such buildings and improvements as may be required for use; said corporation shall also have power to sell and convey any real or

personal property that may be purchased under the provisions hereof and invest the money in other property.

§ 3. The capital stock of said company shall be two hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and shall be subject to be subscribed for and taken at such time and in such manner as the said corporators may prescribe. Capital stock.

§ 4. The business of the said corporation, after its organization, shall be superintended and carried on under the direction of five directors, to be chosen annually as herein-after provided for. Said directors shall be the successors of the persons named in the first section hereof, and shall be vested with power to execute the provisions of this act. Directors.

§ 5. Persons subscribing for stock shall be bound to pay, within one month from the time of subscribing, ten dollars on each share of stock subscribed for, and ten dollars every month thereafter, until the whole amount subscribed is paid. Payments on shares of stock.

§ 6. Whenever twenty-five thousand dollars of said stock is subscribed for, the corporators herein named shall notify the subscribers thereof, and request them to attend at a time and place to be fixed, for the purpose of electing the directors aforesaid; such notice to be by personal service, or by publication in some newspaper published in Jacksonville, at least ten days before the time fixed for the election. Election of directors.

§ 7. The time, place and manner of conducting the election shall be fixed by the said corporators, any two of whom may be appointed judges to superintend the same; and every stockholder shall be entitled to one vote for each share of stock subscribed, and a majority of all the votes shall be necessary to a choice. Manner of.

§ 8. The directors, when elected, shall appoint one of their body president, and when necessary they shall appoint a secretary and treasurer, and require of the treasurer bond, with security, in such penalty and with such conditions as may be required by the by-laws. Officers.

§ 9. The time of holding and manner of conducting the election of directors, after the first election, shall be regulated by the by-laws: *Provided*, that after the first election no person shall vote who has not paid on his or her stock all that has been required, and no person shall vote on account of stock transferred within ten days of the election. Manner of conducting elections. Proviso.

§ 10. The shares of stock shall be personal property and liable to be sold on execution, and shall also be transferable, as the by-laws may provide. Stock, etc., transferable.

§ 11. The directors may rent or lease the hotel, with all and singular the premises connected therewith, including goods and chattels, for one or more years; or they may employ some person or persons to keep the same, in the name and on the account of the corporation; and all Rent and lease of hotel.

accounts arising from or growing out of the transactions of the corporation shall be stated and settled annually, and the net profits thereof divided among the stockholders, *pro rata*.

§ 12. This act shall take effect on its passage.

APPROVED February 28, 1867.

In force Feb'y
28, 1867.

AN ACT to incorporate the Randolph Hotel Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John M. McCutcheon, James Gordon, and Robert H. Rosborough, and their associates and assigns, are hereby constituted a body politic and corporate, by the name and style of the "Randolph Hotel Company," and by that name and style they and their successors shall have perpetual succession, and shall be capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts and places whatsoever; and as such may have a common seal, which they may change and alter at pleasure; and they, their associates and 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, however, exceed in quantity two acres of ground, on which to erect said hotel and other appurtenances which may be necessary to said hotel.*

Name and style.

Powers.

Power to erect
hotel—rent
and lease of.

§ 2. Said company shall have and is hereby vested with full power to erect and finish in complete order a hotel in the city of Sparta, in the county of Randolph, and to furnish and maintain the same. Said corporation shall have power to lease or rent said hotel, and shall have the power to fit and use, lease and rent any portion of said hotel building for stores, offices, etc., as they may deem proper.

Capital stock.

§ 3. The capital stock of said company shall be thirty thousand dollars, and shall be divided into shares of one hundred dollars each. Said corporators, or a majority of them, are hereby authorized to appoint one or more commissioners to receive subscriptions for said stock, and a book for subscriptions shall be opened, at such time and place as said commissioner or commissioners shall appoint, by public notice given in some public newspaper printed in said county, at least twenty days before the day appointed for said subscription of stock, and said book for subscription may be kept open from day to day, continuously, until the whole of said stock be taken. Every person subscrib-

ing shall, at the time of subscribing, pay said commissioner or commissioners five dollars for the purposes of said company for every share he shall subscribe for, and the residue of his subscription he shall pay to said company when organized, at such times and in such amounts as the president and directors of said company shall order.

§ 4. As soon as ten thousand dollars of said capital stock shall have been subscribed, said commissioner or commissioners shall appoint a time and place, by advertisement as aforesaid, for the meeting of said subscribers, for the purpose of choosing a treasurer, clerk and five directors. At all elections of said company each stockholder shall be entitled for one vote for each share he may hold. Said commissioner or commissioners shall appoint three judges, one of whom may act as clerk, for said first election, and their certificate of the persons elected shall be evidence of that fact. All elections after the first shall be called and conducted in such manner as said board of directors may appoint and enter on their record. A majority of the said directors thus chosen shall have power to transact the business of the corporation, and their acts performed within the scope of their authority shall be binding on the company.

Meetings—
officers.

Elections—
manner of.

§ 5. Said directors shall appoint one of their number president of the board, and he and said directors shall have power to establish such rules, regulations and by-laws as may be necessary, and not inconsistent with the laws of the land, for the transfer or payment of the stock or property of said company, and for the direction and management of its affairs.

President.

§ 6. Upon a failure by any of the subscribers to said stock to pay the amount by them or either of them subscribed, when called upon by said board of directors, said corporation shall have power either to forfeit the shares of such delinquent stockholders to the company, or of suing for and collecting from such delinquent stockholders the amount due upon shares, by action of debt or assumpsit.

Payment of
stock.

§ 7. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate a Hotel Company in the city of East St. Louis. In force March 1, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That E. W. Wider, Andrew Wittig, Gottlieb M. Bender, John O. Butler, B. C. Renoist, Louis Boismeneau, N. Spannagel,*

Corporators.

| | |
|-----------------------------|---|
| Name and style | John Eidmann, Charles Rautenberg, and all such other persons as have subscribed or may subscribe for stock in an association formed for the purpose of building a hotel in the city of East St. Louis, St. Clair county, and state of Illinois, are hereby constituted and declared a body politic and corporate, by the name and style of the "East St. Louis Hotel Company," and by that name and style may contract and be contracted with, sue and be sued, plead and be impleaded in all the courts of law and equity; and make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold such real estate and personal estate as may be necessary, useful and convenient to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duty of its officers, and make such rules, regulations and by-laws as they may deem proper: <i>Provided</i> , the same shall not be inconsistent with the laws and constitution of this state and of the United States. |
| Powers. | |
| Business and operations. | § 2. Said company shall have and is hereby vested with power to erect and finish in complete order, a hotel, on Broadway, southeasterly of Main street, in the city of East St. Louis, St. Clair county, Illinois; and it is hereby authorized to carry on the business of a hotel in said city, and to use and exercise all powers and privileges that may be necessary for carrying on said business. |
| Capital stock. | § 3. The capital stock of said company shall not be less than fifteen thousand dollars, nor more than seventy-five thousand dollars, divided into shares of one hundred dollars each, and such shares shall be considered personal property, and may be transferred in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held respectively by such stockholders in all business meetings of such stockholders. |
| Vote of stockholders. | |
| Organization. | § 4. Whenever fifteen thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock, and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel or the stables to be connected therewith, and shall have the power to fit and use or lease any portion of said hotel building for stores, offices, etc., as they may deem proper. |
| Indebtedness. | § 5. Said corporation shall have power to borrow money, at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or as security therefor the property, real and personal, of said corporation. Said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock at such times and in such proportions as they shall deem fit; and upon such notice being given of such calls for pay- |
| Payment of shares of stock. | |

ment as the rules adopted by said corporation may prescribe, and a failure to pay the same as required, said corporation shall have power, either to forfeit the shares of such delinquent stockholder to the company or to sell the same, upon such notice as the rules or by-laws of said corporation may prescribe; and the amount received from such sale shall be applied first on the discharge of whatever may be due from said stockholder, by reason of such delinquency, and of all costs of such sale, and the balance, if any, shall be paid over to such stockholder: *Provided*, that if the purchaser of such stock shall be other than said company, he shall be liable for whatever amount of such stock shall have been uncalled for at the time of such purchase: *And provided*, further, that the right of forfeiture or of sale above given, shall not prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such calls by action of debt or assumpsit.

Delinquents.

Proviso.

Proviso.

§ 6. This act shall be in force from and after its passage.

APPROVED March 1, 1867.

AN ACT to incorporate the Edwardsville Hotel Company.

In force March
5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Charles W. Dimmock, senior, David Gillespie, Joseph Gillespie, Frederick S. Krafft, William E. Wheeler, John A. Prickett and Andrew W. Metcalf, and such other persons as they may associate with them, are hereby constituted and declared a body politic and corporate, by the name and style of the "Edwardsville Hotel Company," and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded in all courts of law and equity; and make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold such real and personal property as may be necessary, useful and convenient to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers, and make such rules, regulations and by-laws as they may deem proper, not contrary or inconsistent with the constitution and laws of this state and of the United States.

Corporators.

Name and style

Powers.

§ 2. Said corporation shall have power to erect, build and maintain a hotel, in the town of Edwardsville, in the county of Madison; and the capital stock of said company shall be twenty thousand dollars, but said company shall

Capital stock—
increase of—
shares—vote of
shareholders.

have power to increase the same to fifty thousand dollars; which stock shall be divided into shares of fifty dollars each, and such shares shall be considered personal property, and may be transferable in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held respectively, by such stockholders, in all business meetings of such corporation.

Organisation.

§ 3. Whenever fifteen thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel; and shall have power to fit up, use or lease any portion of said hotel building for stores, offices, etc., and to insure the same as they may deem proper.

Indebtedness.

§ 4. Said corporation shall have power to borrow money, and pay interest therefor, and issue its bonds therefor; and may convey in security therefor the property, real or personal, of said corporation. Said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock, at such times and in such proportions as they shall deem fit; and upon such notice being given of such calls for payment as the rules adopted by said corporation may prescribe, and a failure to pay the same as required, said corporation shall have power either to forfeit the shares of such delinquent stockholders to the company, or to sell the same, upon such notice as the rules or by-laws of said corporation shall prescribe; and the amount received from such sale shall be applied first in the discharge of whatever amount may be due from said stockholder by reason of such delinquency, and of all costs of such sale, and the balance, if any, shall be paid over to said stockholder: *Provided*, that if the purchaser of such stock shall be other than said company, he shall be liable for whatever amount of such stock shall remain uncalled for at the time of such purchase: *And provided, further*, that the right of forfeiture or of sale above given shall not prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such calls, by action of debt or assumpsit.

§ 5. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Lake Forest Hotel and Manufacturing Company. In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That David J. Lake, Benjamin W. Raymond, Eli L. Cantfield, Charles H. Quinlan and William S. Johnston, junior, and their successors, are hereby constituted and declared a body corporate and politic, with perpetual succession, by the name and style of "The Lake Forest Hotel and Manufacturing Com-*

Name and style

Powers.

pany," from and after the passage of this act; and shall, by that name and style, be capable in law of suing and being sued, impleaded, answer or defend in law or equity, in all courts and places whatsoever; make and use a common seal, and alter and renew the same at pleasure; and, by their said corporate name and style, shall be capable in law of contracting and being contracted with; and shall be and are hereby invested with all the powers, privileges, immunities and franchises of acquiring by purchase or otherwise and of holding and conveying real and personal estate; but no conveyance of real estate by said company shall be valid unless signed by the president and secretary thereof, under the seal of said company, and duly acknowledged before a proper officer according to law.

Business and operations

§ 2. The said company shall have power to purchase and enlarge, erect, lease, furnish, keep and maintain a hotel, and such barns and other buildings as they may deem advisable, on such lot or lots as the said company shall acquire, in Lake Forest, in Lake county, Illinois, and to manufacture in Lake Forest, aforesaid, brick, lumber and such other articles and goods as they may want for their own use and for sale, and to erect such buildings and machinery as they wish for that purpose, also to construct and maintain a pier on the shore of Lake Michigan, at Lake Forest aforesaid, and to construct a road to the same from their said hotel. Said company may employ such agents as they may deem necessary for the proper management of their business, and make such by-laws as they deem expedient for the interests of said corporation, not inconsistent with the laws of Illinois.

Capital stock.

§ 3. The capital stock of said company shall be twenty-five thousand dollars, and may be increased by the directors from time to time to an amount not exceeding one hundred and fifty thousand dollars, which shall be divided into shares of one hundred dollars each, and shall be considered personal property. Said stock shall be issued and transferred in such manner as the by-laws shall provide. The directors shall have power to require the payment of

Payment of subscriptions—disposition of shares.

shares of such delinquents may, after thirty days' notice thereof, published in a daily newspaper of the city of Chicago, be sold at public auction, under such rules as the board of directors may adopt, and the proceeds of sale applied to the payment of all money due the company, either for subscription to the stock or otherwise. The persons named in the first section of this act, or a majority of them, are authorized to dispose of the first twenty-five thousand dollars of stock in such manner as they may think proper, and the directors may dispose of the increased stock from time to time.

Officers and directors.

§ 4. All the corporate powers of said company shall be vested in a board of directors, who shall appoint a president, from one of their number. They shall also appoint a secretary and such other officers as they may deem expedient. The directors shall consist of not less than five stockholders, who shall be elected annually by the stockholders, each share of stock having one vote, which may be given in person or by proxy. The first election for directors shall be held at such time and place as a majority of the persons named in the first section of this act shall determine, and the directors shall hold their offices until their successors are elected and qualified.

Vote of stockholders.

Borrow money.

§ 5. The said company are authorized and empowered to borrow money from time to time, in such sums as the directors may deem expedient and to pay interest thereon, and to pledge and mortgage the property of said company to secure the payment of said money and interest.

Stockholders' liabilities.

§ 6. The stockholders of the said company shall be personally liable for all the debts of the said company, to the amount of the several shares of their stock, and for six months after the sale of said stock, for all debts due at the time of sale.

§ 7. This act shall be in force from and after its passage.

APPROVED March 5, 1867.

In force March 7, 1867. AN ACT to incorporate the Perry Springs Hotel and Railroad Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That B. A. Watson, Noah Divelbiss, C. A. Savage, R. B. Hatch, C. L. Goltra, H. I. Noyes and W. W. Watson, of Illinois, and Dwight Durkee, E. Williams Fox and John H. Seagrist, of St. Louis, and their associates and successors, are hereby created a body corporate and politic, by the name and style of the "Perry Springs Hotel and Railroad Company," with

Name and style

perpetual succession, having power to sue and be sued, Powers.
 plead and be impleaded, in all courts, either in law or
 equity; to use a corporate seal, issue stock bonds and other
 securities and evidence of indebtedness, and to receive the
 same; to have a capital of two hundred thousand dollars, Capital stock.
 which may be increased to five hundred thousand dollars,
 to be divided into shares of one hundred dollars each, and
 to do all things necessary for the purposes of said cor-
 poration.

§ 2. Said corporation shall have the power to maintain Business and operations.
 the hotel now in operation at Perry Springs, Pike county,
 state of Illinois, and to erect such other buildings as the
 business of said corporation may require, and to buy and
 sell such additional real estate as may be required for the
 use of said corporation.

§ 3. Said corporation shall have the power to locate, Railway privileges.
 build and operate a railroad, commencing at some point on
 the Toledo, Wabash and Western Railroad, between Mere-
 dosia and Versailles, passing as near to Perry Springs as may
 be practicable, and connecting with the line of what is
 known as the Pike County Railroad, at some point between
 Salem and Griggsville Landing. The right of way for said
 railroad to be obtained as provided for in an act to amend
 the law condemning the right of way, for purposes of inter-
 nal improvement, approved June 22, 1852.

§ 4. That a meeting of the shareholders shall be held Meeting of shareholders—vote of.
 at Perry Springs on the first Monday in April, after the
 passage of this act, when a president and board of direc-
 tors may be chosen—each shareholder being entitled to one
 vote for each share of stock held by him or her, who shall
 make all necessary rules for said corporation; shall call meet-
 ings, elect a secretary and other officers, and do all things
 requisite to carrying out the objects of this company.

§ 5. The stock of this company can only be transferred Transfer stock.
 upon the books of the company at their office at Perry
 Springs.

§ 6. This act shall be deemed a public act, and be in Construction of act.
 force from and after its passage, and shall be liberally con-
 strued in all courts and places for the benefit of the objects
 herein contemplated.

APPROVED March 7, 1867.

AN ACT to incorporate a Hotel Company in the city of Shelbyville. In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Charles C. Scovil, Judson A. Roundy, Dudley C. Smith, Cyrus*

Hall and Thomas W. Harris, and all such other persons as have subscribed or may subscribe for stock in an association formed for the purpose of building a hotel in the city of Shelbyville, are hereby constituted and declared a body corporate and politic, by the name and style of "The Shelbyville Hotel Company," and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts of law and equity; and make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold such real and personal estate as may be necessary, useful and convenient to accomplish the object of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers, and make such rules, regulations and by-laws as they may deem proper: *Provided*, the same shall not be inconsistent with the laws and constitution of this state and of the United States.

Name and style

Powers.

Business powers.

Capital stock.

Organization—
power to lease
and rent.

Indebtedness.

Payment of
stock—appli-
cation of.

§ 2. Said corporation shall have power to erect, build and maintain a hotel in the city of Shelbyville; and the capital stock of said company shall be twenty-five thousand dollars. Said company shall have the power to increase the same to one hundred thousand dollars; which stock shall be divided into shares of one hundred dollars, and such shares shall be considered personal property, and may be transferred in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held respectively, by such stockholders, in all business meetings of such stockholders.

§ 3. Whenever ten thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stock, and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel, and shall have power to fit up, use or lease any portion of said hotel building, for stores, offices, etc., as they may deem proper.

§ 4. Said corporation shall have power to borrow money at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or security therefor the property, real or personal, of said corporation. Said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock, at such times and in such proportions as they shall deem fit, and upon such notice being given of such calls for payment as the rules adopted by said corporation may prescribe; and a failure to pay the same, as required, said corporation shall have power, either to forfeit the shares of such delinquent stockholder to the company or to sell the same, upon such notice as the rules or by-laws of said corporation may prescribe, and the amount received upon such sales shall be applied, first, in the discharge of whatever amount may be

due from said stockholder by reason of such delinquency, and of all costs of such sales, and the balance, if any, shall be paid over to such stockholder: *Provided*, that if the purchaser of such stock shall be other than said company he shall be liable for whatever amount of such stock shall have been uncalled for at the time of such purchase: *And provided, further*, that the right of forfeiture or of sale above given shall not prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such calls, by action of debt or assumpsit.

Proviso.

Proviso.

§ 5. This act shall be in force from and after its passage.
APPROVED March 7, 1867.

AN ACT to incorporate a Hotel Company in the city of Canton.

In force March
7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That James H. McCall, Charles T. Heald, James H. Stipp, Amos C. Babcock, Carrol C. Dewey, Townsend Atwater and William Babcock, and their associates, heirs and assigns, are hereby constituted a body politic and corporate, by the name and style of the "Canton Hotel Company," and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts of law and equity, and make and use a common seal, and alter the same at pleasure; may acquire by purchase or otherwise, and hold such real and personal estate as may be necessary, useful and convenient to accomplish the objects of said association, and convey the same. Said association shall have power to prescribe the number and duties of its officers, and make such rules, regulations and by-laws as they may deem proper: *Provided*, the same shall not be inconsistent with the laws and constitution of this state and of the United States.

Corporators.

Name and style.

Powers.

Proviso.

§ 2. Said corporation shall have power to erect, build and maintain a hotel in the city of Canton, and the capital stock of said company shall be thirty thousand dollars. Said company shall have the power to increase the same to seventy-five thousand dollars, which stock shall be divided into shares of fifty dollars, and such shares shall be considered personal property, and may be transferred in such manner as said corporation shall provide. The stockholders of said company shall be entitled to one vote for each share of stock held respectively by such stockholders, in all business meetings of such stockholders.

Capital stock.

§ 3. Whenever ten thousand dollars shall be subscribed to the capital stock of said company, said company may

Organization.

proceed to organize, make calls upon its stock, and proceed to carry out the objects of said association. Said corporation shall have power to lease or rent said hotel, and shall have power to fit up, use or lease any portion of said hotel building for stores, offices, etc, as they may deem proper.

Indebtedness.

Subscription to stock.

Delinquents.

Proviso.

Proviso.

§ 4. Said corporation shall have power to borrow money at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor, and may convey in pledge or security therefor the property, real or personal, of said corporation. Said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock, at such times and in such proportions as they shall deem fit, and upon such notice being given of such calls for payment as the rules adopted by said corporation may prescribe, and a failure to pay the same as required, said corporation shall have power either to forfeit the shares of such delinquent stockholder to the company, or to sell the same, upon such notice, as the rules or by-laws of said corporation may prescribe; and the amount received upon such sales shall be applied, first in the discharge of whatever amount may be due from said stockholder by reason of such delinquency, and of all costs of such sale, and the balance, if any, shall be paid over to such stockholder: *Provided*, that if the purchaser of such stock shall be other than said company, he shall be liable for whatever amount of such stock as shall have been uncalled for at the time of such purchase: *And provided further*, that the right of forfeiture or of sale, above given, shall not prevent said company from suing for and collecting from such delinquent stockholder the amount due upon such calls by action of debt or assumpsit.

§ 5. This act to take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force March
9, 1867.

AN ACT to incorporate the Pana Hotel Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That J. C. Helmick, J. S. Hayward, W. B. Little, J. W. Kitchell, G. Lawrence, D. Turnbolt, and all such other persons as have subscribed or may subscribe for stock in an association formed for the purpose of building a hotel in the city of Pana, on lots one (1), two (2) and three (3), block one (1) in J. S. Hayward's addition to the town of Pana, are hereby

constituted and declared a body politic and corporate by the name and style of "The Pana Hotel Company;" and by that name and style may contract and be contracted with, sue and be sued, plead and be impleaded in the courts of law and equity, and make and use a common seal, and alter the same at pleasure; may acquire, by purchase, or otherwise, and hold such real and personal estate as may be necessary, useful and convenient to accomplish the objects of said association, and convey the same.

Name and style.

Powers of corporation.

§ 2. Said company shall have and is hereby vested with power to erect and finish in complete order a hotel in the city of Pana, and it is hereby authorized to carry on the business of a hotel in said city, and to use and exercise all powers and privileges that may be necessary for carrying on said business.

Business powers.

§ 3. The capital stock of said company shall be forty-five thousand dollars, and shall be divided into four hundred and fifty shares of one hundred dollars each. Said corporators, or a majority of them, are hereby authorized to appoint one commissioner to receive subscriptions for said stock, and a book for subscription shall be opened at such time and place as such commissioner shall appoint, by a notice printed in some public newspaper printed and published in the city of Pana, at least twenty days before the day appointed for said subscription of stock. If the requisite number of shares shall not then be submitted said commissioner shall take such measures to complete such subscription as he shall deem proper. Every subscriber shall pay his subscription to said company, when organized, at such times and in such amounts as the president and directors of said company shall order.

Capital stock.

Stock subscription.

§ 4. When two hundred shares of said stock shall have been subscribed, said commissioner shall appoint a time and place by advertisement, as aforesaid, for the meeting of said subscribers for the purpose of choosing a secretary and treasurer and five directors, and said company may proceed to organize and carry out the objects of said corporation. Said corporation shall have power to rent or lease said hotel as they may deem proper.

Organization.

§ 5. Said directors shall appoint one of their number president of the board, and he and said directors shall have power to establish such rules, regulations and by-laws as may be necessary, and not inconsistent with the laws of the land, for the transfer and payment of the stock and property of said company, and for the direction and management of its affairs.

President.

By-laws, etc.

§ 6. This act shall be in force from and after its passage.
APPROVED March 9, 1867.

In force March 8, 1867. AN ACT to incorporate the City Hotel Company, of Carrollton, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Alexander W. Lynn, David M. Woodson, David Pierson, Charles D. Hodges, George Wright, Hiram Keach and Thomas H. Boyd be and they are hereby created a body corporate and politic by the name of "The City Hotel Company, of Carrollton, Greene county, Illinois," with perpetual succession, power to sue and be sued, to make by-laws, not contrary to law, to make and use a common seal, and have the powers and privileges of natural persons for the purposes in this act contemplated.

§ 2. Whenever the organization herein provided is effected, the said company shall have power to receive and take, by purchase, gift, or otherwise, lots or real estate within the limits of said city of Carrollton, of whatever value may be deemed necessary, and in whatever amount, for the erection, completion and putting into operation of a first class hotel in said city, at a cost not to exceed \$100,000, and which shall be constructed with store rooms and offices underneath, if deemed best, and be completed within five years from the passage of this act.

§ 3. So soon as \$25,000 shall be subscribed in shares of \$100 each, the said corporators, or any five of them, shall publish a notice in one or more newspapers of said city of Carrollton, calling a meeting of the stockholders, which notice shall be published ten days before said meeting, and at the time therein stated the subscribers, or a majority of them, shall proceed to organize by the election of a president, vice president, secretary and treasurer and board of not less than three nor more than seven directors, all of whom shall be stockholders, who shall all hold their office one year, and shall perform such duties as may be required by resolution, by-laws or by this act, and for such compensation and under such regulations as may be fixed by the said by-laws; and at all regular meetings which shall be held for elections, each shareholder shall cast one vote for every share of stock, and no irregularity in the notice of subsequent annual elections or failure to give the same shall affect the organization, but the meeting, should the calendar yearly day fall on Sunday, shall be held the first Monday thereafter.

§ 4. The board shall have power to borrow money, purchase materials, contract for labor, employ an architect, appoint a building committee, carry on and complete said work, or let the contract to others, and do and perform all acts and things necessary to the effectual completion of the said building, which shall be finished off and ornamented

in such style and elegance as the board shall see fit, and be in all respects equal to any house of equal cost in the state.

§ 5. That when so completed, said house shall be put into operation and conducted or rented or leased as the board may think best, and may be sold or leased for a term of years on a two-thirds vote of the stockholders, and when sold, and the corporation dissolved, the proceeds shall be distributed *pro rata* among the shareholders.

House—rent,
sale, etc.

§ 6. The shares of stock so subscribed may be collected in installments, or the whole thereof at one time, as the board may determine, and the publication of any order of the board calling for payment in any newspaper of said city for ten days daily, tri-weekly or weekly, shall be deemed lawful demand of said stock and the same may be forthwith sued for.

Collection of
shares.

§ 7. The president shall preside at all meetings, and in his absence the vice president; the treasurer shall receive, receipt for and account for all moneys of the company, and shall give such bond as the board may require. The secretary shall keep a record of all official acts of the board, shall keep and control the seal, shall, on treasurer's receipt, issue certificates of stock, which shall be personal property and assignable on the books of the secretary, and the certificate of the printer and the seal of corporation, if they have one, and if not, the private seal of any regular officer of the company shall be *prima facie* evidence of the official acts of each and of the board, and of the due publication of all notices and orders; and the officers shall be competent to identify all books and records and to prove all the official acts of the company in all courts.

Officers.

§ 8. This shall be deemed a public act, and liberally construed in all courts and places, and shall be in force from and after its passage.

APPROVED, March 8, 1867.

AN ACT to legalize highways in the town of Downer's Grove, Du Page county, Illinois. In force Feb'y 14, 1867.

WHEREAS, in the town of Downer's Grove, Du Page county, since said county adopted township organization, several public roads were laid [out] by the commissioners of highways of said town, the papers concerning which are lost, and of which there is no record, owing to the failure of the town clerk of said town to record the orders of said commissioners of highways laying out such roads; and whereas, such roads were opened as public highways, by

Preamble.

said commissioners of highways, and remained open for more than five years thereafter; therefore,

**Public roads—
validity of.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all roads in said town of Downer's Grove, in Du Page county, that have heretofore been laid out and opened by the commissioners of highways of said town, and which remained open for five years thereafter, or remained open through uninclosed land for that length of time, be and the same are hereby declared public roads of said town, and no irregularity upon the part of the said commissioners of highways in laying out such roads, shall affect the validity of the same.

Surveys.

§ 2. It shall be the duty of the commissioners of highways of said town to cause a survey to be made of any such roads so laid out and opened, and which remained open for five years thereafter, the records and files of which are lost, having first posted notices of their intention to do so, in three public places in the neighborhood of the road, for at least ten days prior thereto.

**Commissioners
—duties of.**

§ 3. In surveying any such road the commissioners of highways shall be governed by, and shall follow the original minutes and survey thereof, if the same can be produced, and shall hear any and all other evidence, written or parol, which may be offered in relation to the location, laying out, opening, or the remaining open of such road, if any, or all of the said matter shall be disputed and having heard the evidence offered, the said commissioners of highways shall proceed and survey such road, if they shall be satisfied from the evidence that the same was laid out by the commissioners of highways of said town, and was opened by them, and remained open for five years thereafter; and they shall make a plat and survey of such road, with a certificate of their doings in the premises, embodying their determination in the case, which they shall file in the town clerk's office, and which action of the commissioners of highways shall be final and conclusive as to the laying out, opening and remaining open, as well as of the location of such road.

§ 4. This act shall be in force from and after its passage.

APPROVED February 14, 1867.

AN ACT to change the highway laws for the town of Richland, La Salle In force April
county. 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the commissioners of highways, in the town of Richland, county of La Salle, within eighteen days after the annual town meeting, in the year 1867, and every three years thereafter, to lay out and divide all the public highways in said town, into sections not exceeding one-half mile in length, which they shall number and describe in a book kept by them for that purpose; they shall also distinctly specify therein what they may deem necessary for the improvement and keeping in repair each section of said public highways for the term of three years.

Division of
highways into
sections—
length—
repairs, etc.

§ 2. It shall be the duty of said commissioners of highways, to expose the said highways, one section at a time, at public sale to the lowest and best bidder, commencing on the first Monday of May, 1867, and continue from day to day until all the sections have been exposed to sale, and every three years thereafter, of which sale at least ten days' notice shall be given by posting up notices in ten of the most public places in said town: *Provided*, that the commissioners may reject any bid they may deem too high and sell such sections at private sale; also, that any person not holding property subject to execution and sale for debts under the existing laws of the state, shall give such security for the performance of every contract so purchased as the commissioners of highways may require.

Sale of.

Proviso.

§ 3. It shall be the duty of each purchaser of a section to write his name and the sum he is to receive for repairing it in the commissioner's book under the description thereof, and any contractor neglecting to keep his section or sections in repair in conformity thereto, upon complaint of any citizen, made to the commissioners of highways of said town, it shall be their duty to examine thereinto, within four days, and if they deem the complaint well founded, to give notice thereof to the party complained of, and request him to put his portion of the road in good repair within six days, and if he still neglects or refuses to repair the same, it shall be the duty of said commissioners of highways to have the same put in good repair and the cost of said repairs shall be recoverable by said commissioners of said contractor or his security, with costs of suit. And if either of the commissioners holding contracts neglect or refuse to fulfill their contract, then the town auditors shall have the same powers and perform the duties required of the commissioners of highways, in manner and form herein provided for other delinquent contractors.

Purchasers—
duty of.

Taxes.

§ 4. That it shall be the duty of the commissioners of highways, within ten days after the sale of the public highways, and annually thereafter, to assess a poll tax equivalent to two days' labor, on every male inhabitant being above twenty-one and under fifty years of age (except such as may be exempt by law), also to assess a road tax on all real estate and personal property in said town, liable to taxation, for road purposes at such rate as will (with the poll tax) meet the sale and other expenses of making and keeping in repair said public highways in each year. And in no case shall any contractor receive more than one-third part of the amount of said sales in any one year, nor until an equal part of the work is done on his contract as estimated by the commissioners of highways.

Contracts.

§ 5. Any contractor who may remove out of the town by giving ten days' notice thereof in writing to one of the commissioners, before such removal, or in case of death, the commissioners shall pay to such contractor so removing or to the representatives of such decedent, such portion of the money specified in their contract as they shall believe them justly entitled to, and the unexpired time of such contract so yielded up or abandoned, also any sections of new road may be sold at private sale by the commissioners of highways.

Returns of taxes.

§ 6. That it shall be the duty of the commissioners of highways in said town of Richland, to make return to the supervisor of said town, of taxes not paid by contract, nor paid to the treasurer of the commissioners of highways or overseers of highways, are required to do in accordance with section forty-three (43), article seventeen (17), township organization of roads, highways and bridges, in force April 1st, 1861.

Act approved Feb'y 16, 1865, applicable.

§ 7. That the "Act to facilitate the draining of wet lands," approved February 16, 1865, shall and is hereby made applicable for draining highways in the town of Richland, La Salle county.

Accounts of service — compensation.

§ 8. That the said commissioners shall keep a correct account of the kind of service performed by them with the date thereof, and they shall be allowed such compensation therefor as the board of auditors of said town may deem just and equitable for every day necessarily employed in discharging the duties of their office, not exceeding one dollar per day, and the commissioners of highways, shall on the second Tuesday, next preceding the time of holding the annual town meeting, exhibit their book and other accounts, to the board of auditors of said town to be adjusted by them as other town accounts are audited and paid.

Exhibit books.

Town clerk.

§ 9. It shall be the duty of the town clerk on the petition of twenty-five legal voters to give notice in the notice for the annual town meeting of 1870, that this act will be submitted to a vote by ballot, for or against said act, and if

a majority of the votes cast are against the contract road law, then this act shall be held as repealed and void from that date, but if a majority of the votes cast are for the contract road law, then this act to remain in full force.

§ 10. That such parts of the existing highway laws of said town of Richland as are inconsistent with this act, are hereby repealed.

APPROVED February 23, 1867.

AN ACT to incorporate the Womens' Hospital of Quincy.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John Wood, Robert S. Bermeson, George J. King, S. Hopkins Emery, William B. Powers, Sidney Carbett, Frederick Collins, James M. Bishop, C. A. Warren, A. E. Wheat, S. S. Hunting, Samuel Holmes, M. R. Butts, Mrs. Robert Benison, Mrs. Hiram Rogers, Mrs. N. Bushnell, Mrs. C. A. Streeter, Mrs. S. S. Hunting, Mrs. John Wood, Mrs. A. C. McFiddon, Mrs. J. O. Woodruff, Mrs. C. W. Cleveland, Mrs. James Woodruff, Mrs. J. W. Bishop, Mrs. J. B. Gilpin, Mrs. P. M. Hollowbush, Mrs. O. H. Browning, Mrs. Frederick M. Boyd, Mrs. John Wood, Mrs. C. Littlefield, Mrs. Robert Tillson, Mrs. M. R. Butts, and their associates and successors, be and are hereby created a body politic and corporate, by the name, style and description of "The Womens' Hospital of Quincy," and by that name shall have perpetual succession, and be capable of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts of law or equity; to make and have a corporate seal, and the same to alter and renew at pleasure, and shall be capable in law and equity of taking and holding by gift, donation, devise, purchase or otherwise any lands, tenements, goods, chattels, moneys and property, real, personal or mixed, and the same property to sell, and convey at pleasure; also, to make all such improvements thereon, and to lease or otherwise of the same or any portion thereof, as may be deemed best for the advancement of the objects of this corporation: *Provided*, that said corporation shall not hold real property at any one time, the yearly rent of which exceeds thirty thousand dollars per annum; and such building or buildings, which said corporation shall erect for hospital purposes, shall with the lands absolutely necessary for said hospital, while they are used and occupied by said corporation exclusively and solely for hospital purposes as herein specified, shall be exempt from city, county and state taxation, but not otherwise.

Corporators.

Name and style

Powers.

Real property—
value of.

Misnomer—
gifts, etc.

§ 2. That no misnomer of said corporation or their successors shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, that the interest of the party or parties shall sufficiently appear upon the face of such gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from said corporation.

Objects.

§ 3. That the object of said corporation shall be to establish—and said corporation may establish in the city of Quincy—a hospital for the treatment of diseases of women and children, and for obstetrical cases, furnishing at the same time facilities for clinical instruction to women, engaged in the study of medicine, and for the practical training of nurses; the chief resident physician to be a woman.

Membership.

§ 4. The members of the said corporation shall be such persons, as shall contribute for the erection or support of the hospital, twenty dollars or more in one payment, or not less than five dollars, prior to the first election, and thereafter, those who shall have paid the last named sum annually for two consecutive years, immediately preceding the annual meeting being held.

Managers.

§ 5. The board of managers of the said corporation, shall consist of not less than twelve, nor more than twenty-four women, who shall be elected by the members of said corporation at the annual meeting; one-third being elected each year, to serve for a period of three years, and until their successors are appointed. The board shall appoint the officers of this corporation from its own body, and shall have power to fill vacancies occurring in the intervals of election, either from death, resignation, removal or inattention to the duties as managers; to make by-laws for its government, and for the management of the hospital, the safe keeping of the funds and other property of this corporation, and their appropriation and use, in accordance with the interest and purposes of this institution.

Vacancies.

Officers.

§ 6. The officers of this corporation, shall be a president, two vice presidents, a secretary, treasurer, board of managers, board of advisers and such other officers as said board shall see proper to elect.

Assistant managers.

§ 7. The managers of the said corporation shall be assisted by a board of advisers of nine men, who shall be elected annually by the board of managers, from the corporators or medical faculty of said city of Quincy.

Annual meeting

§ 8. The annual meeting of the members shall be held on the third Thursday of January, in every year, for the election of managers, and for hearing the annual report of the condition of the hospital; special meetings of the members may be called by the board of managers, whenever they may deem it necessary.

Women physicians.

§ 9. It may be discretionary with the managers to make pecuniary arrangements with the corporators of the Female

Medical College of Pennsylvania, for the education of competent women as physicians, the number not to exceed three at any one time.

§ 10. The persons named in section one of this act, or a majority of them, after publishing a notice of the time and place of holding such meeting, for at least five days previous, in some daily newspaper published in said city of Quincy, may at any time they see proper, elect of their number not less than twelve, nor more than twenty-four as a board of managers, of the said corporation. Such managers so elected, shall divide themselves into three classes, to serve respectively until the first, second and third annual meeting of the said corporation.

Number of
managers—
classification.

§ 11. *And be it further enacted by the authority aforesaid*, that the duties and rights of the members of the said corporation, the powers and functions of the officers thereof, the number of members, which shall constitute a quorum at its meetings, the causes which shall justify the suspension or expulsion of members from the corporation, and all other concerns of the said corporation not hereinbefore provided for, shall be regulated by the by-laws and ordinances of the said corporation, hereafter to be made, which the said corporation is hereby authorized to make and alter in the manner which may be therein mentioned: *Provided*, the said by-laws or ordinances shall not be repugnant to, or inconsistent with the constitution of the United States or of this state.

Duties of officers,
etc.

§ 12. This act is hereby declared a public act, and shall take effect and shall be in force from and after its passage.

APPROVED February 23, 1867.

AN ACT to incorporate the Mercy Hospital and School and Orphan Asylum of Ottawa, Illinois. In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Sister Paula, Sister Xavier, Sister Agnes, Sister Du Chantal, Sister Euplorasia, and their successors in office, be and the same are hereby created a body politic and corporate, under the name and style of "Mercy Hospital and School and Orphans' Asylum of Ottawa," and henceforth shall be styled and known by that name, and by that name and style to remain and have perpetual succession, with power to sue and be sued, plead and be impleaded; to acquire, hold and convey property, real, personal and mixed, in all lawful ways; to have and use a common seal, and to alter the same at pleasure; to make and alter, from time to time,

Name and style.

Powers.

such by-laws as they may deem necessary for the government of said institution, their officers and servants: *Provided*, such by-laws are not inconsistent with the constitution and laws of this state and of the United States.

Proviso.

Vacancies—
purposes of
property—re-
ligious tenets.

§ 2. Said corporation shall have power to fill such vacancies in their own body as may happen by death, resignation or otherwise, and shall hold the property of said institution solely for the purposes of supporting and maintaining them, and for the purpose of providing means for the education of orphan children, and for the protection and support of destitute females, and for such other charitable purposes as shall not be inconsistent with the provisions of this act, and not as stock for the individual benefit of themselves, or of any contributor to the endowments of the same, and no particular religious faith shall be required of those who are admitted to have the charitable relief of said institutions.

Location—gifts,
grants, etc.

§ 3. Said institutions shall remain located in or near the city of Ottawa, La Salle county; and the incorporators and their successors shall be competent, in law and equity, to take to themselves, in either of their said corporate, real, personal or mixed estate, 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 at interest, or otherwise dispose of the same for the use of the said institutions, in such manner as to them shall seem to them most beneficial to said institutions. Said corporation shall faithfully apply all the funds collected or the proceeds of the property belonging to either of said institutions, according to their best judgment, in erecting suitable buildings, supporting necessary officers and servants, and procuring furniture, medicines, instruments and other apparatus necessary for the success of said institutions: *Provided, nevertheless*, that in case any donation, devise or bequest shall be made for particular purposes, accordant with the design of said institutions, 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, further*, that said corporation shall not be allowed to hold more than one thousand acres of land at any 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 ten years from the time they shall acquire such title, and on failure to do so, said land, over and above the above named one thousand acres, shall revert to the original donor, grantor, deviser, or their heirs.

Proviso.

Proviso.

Bonds.

§ 4. The treasurer of the institutions, and all other agents, when required, before entering upon the duties of their appointments, shall give bonds for the security of the

corporation, in such penal sums and with such securities as the corporation 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 sixty days before the return day thereof.

§ 5. The corporation shall have power to employ and appoint a president or directors for either of said institutions, and all such officers or servants as may be necessary, and shall have power to displace any or each of them, as the interests of the institutions require; to fill vacancies which may happen by death, resignation or otherwise, among said officers and servants, and to prescribe and direct the mode of governing and conducting said institutions.

President and directors—
powers of.

§ 6. Should the corporation at any time act contrary to the provisions of the charter, or fail to comply with the same, upon complaint being made to the circuit court of LaSalle county, a *scire facias* shall issue, and the district attorney shall prosecute in behalf of the people of this state, for a forfeiture of said charter.

Issue of *scire facias*.

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

APPROVED February 28, 1867.

AN ACT to incorporate the Institution of Protestant Deaconesses, and to provide for the management and control of an Hospital in Chicago. In force May 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Elizabeth Hupperts, Louisa Mathews, Caroline Super, Barbara Kag, Lisette Nagle, Vernelia Gaehring and their associates, together with others who may become members of the association, according to the by-laws, and the Rev. W. A. Passavant, director, Rev. Gottlieb Bassler, vice director, Rev. Erland Carlson and Rev. Henry Reek, treasurer and secretary, and their successors in office, be and they hereby are made and constituted a body corporate and politic in law and in fact, under the name, style and title of "The Institution of Protestant Deaconesses," to have perpetual succession, to use a common seal, to plead and be impleaded, in all courts of record and elsewhere; to purchase acquire, receive, hold and enjoy real, personal and mixed estate of any kind whatsoever, and sell, convey, lease and encumber the same, for the use objects and benefits of the association: Provided, that the annual income of real estate owned by the corporation, exclusive of the houses occupied by the as-*

Corporators.

Name and style

Powers.

Proviso.

sociation for its merciful uses, and the grounds attached thereto shall not exceed the yearly revenue of ten thousand dollars. They shall have power also to make such by-laws and regulations for their own government and discipline and for the admission of new members into the institution, their duties and time of service as they may deem necessary and advisable: *Provided*, that said by-laws and regulations be not inconsistent with the constitution of the United States or of this state: *And provided also*, that no person or persons, shall be or remain a member of the corporation except members of the association in good and regular standing, and such officers as are now or shall hereafter be elected in the manner hereinafter provided.

Objects.

§ 2. That the objects of this association shall be the relief of the sick and insane, the care of orphans, the education of youth, and the exercise of mercy to the unfortunate and destitute, and that the property of said association occupied for these purposes and the income used in their support, shall be exempted from taxation, nor shall the grounds of said association be subject or liable to have any public road, street, lane or alley, laid out or opened therein so long as they shall be used and employed for the charitable purposes aforesaid.

Management of affairs.

§ 3. The government and management of this association, shall be under the direction of a board of managers, who shall consist of a director, who is chairman, a vice director, a directing sister, a treasurer and secretary, two of whom with the director, and in case of his absence, the vice director and the directing sister, shall constitute a quorum for the transaction of business; of these, the director, vice director and directing sister shall be chosen by ballot, jointly by the board and the other members of the aforementioned Institution of Protestant Deaconesses, a notice having been given of such election, at least two months before, to the board and all the members of the aforesaid Institution of Protestant Deaconesses, wherever they may be laboring. The secretary and treasurer, shall be annually chosen by the board alone, at the regular annual meeting on the second Monday of February, in each year and in case of any vacancy in the board, by death, resignation, removal or otherwise, the remainder of said board shall have power to fill such vacancy by the election of another person until the next annual meeting, or until an election can be held: *Provided*, that a failure to elect, on the day and time mentioned shall not work a forfeiture of the charter: *And provided also*, that a failure to secure a quorum, on the day aforementioned for the annual meeting shall not work a forfeiture of the charter. The aforementioned board of managers shall also have power to establish, control, govern and manage any hospital, orphan house, insane asylum or school, necessary and proper for the carrying out and ful-

filling the general objects and purposes of the association, as herein declared and set forth, also to contract for and erect all necessary buildings, provide all the accommodations, arrangements and conveniences requisite for the reception and proper care of the patients, orphans and pupils; they shall prescribe the kind and character, of the inmates and patients, and the terms and conditions upon which they may be admitted, discharged and removed, and make such regulations for their government and that of the officers, and all others employed in and about the institutions, under their care as they may deem necessary and proper, from time to time.

§ 4. That as the persons composing the aforementioned association are members of the Evangelical Lutheran church and desire to remain unmolested in the free exercise of their religious faith and worship: *It is hereby provided*, that no one shall be elected director of the association, or vice director, who is not a clergyman in good, and regular standing in an acknowledged Evangelical Lutheran Synod, in the United States.

§ 5. That no misnomer of the said corporation shall defeat or annul any gift, grant, conveyance, devise or bequest, to the said corporation: *Provided*, that the intent of the party or parties, shall sufficiently appear upon the face thereof, whereby any estate or interest, was intended to pass to said corporation, or to any hospital, asylum, orphan house, school or other charity, under the management and control of the corporation hereby created. Misnomer.
Proviso.

§ 6. And whereas the Rev. William A. Passavant, by the aid of sundry charitable persons, has established a hospital in the city of Chicago, Illinois, known at present as the "Deaconess Hospital," (but which name may be changed, and said hospital designated, as the board of visitors hereinafter named shall determine), in order that the suffering and the sick may be cared for and relieved, in a becoming and christian manner without distinction of creed, country or color, and has placed the same under the immediate supervision and control of the aforementioned "Institution of Protestant Deaconesses," the said Rev. W. A. Passavant, is hereby authorized and empowered to assign, convey and transfer, to the aforesaid corporation, all property, real, personal and mixed, which is now or may hereafter be held by him in trust for the purposes of said hospital, subject to the same trusts and considerations, upon which he may hold the same; and that any other person or persons now holding, or who may hereafter hold any goods, chattles or property, real, personal or mixed, in trust for the use of the aforesaid hospital, are hereby authorized to convey, assign and transfer the same to the aforementioned "Institution of Protestant Deaconesses," subject to the trusts and conditions under which the same is or may be held, by such person or persons. Preamble.
Assignments.

Trustees — annual meeting of—duties of.

§ 7. William B. Ogden, Ezra B. McCagg, William Brosse, Eliphalet W. Blatchford, J. Young Scammon, Elbridge G. Hall, Samuel Hale, Jonathan Burr, Conrad Furst, William Blair, ——— Muelke, Francis A. Hoffman, Van H. Higgins, John V. Farwell, Edwin H. Sheldon, Gilbert Hubbert, Iver Lawson, Erland Carlson and Thomas B. Bryan, and their successors, appointed as hereinafter provided, shall constitute a board of visitors, who shall meet annually on the third Monday in January, to examine and report for publication, the condition and management of the Deaconess' hospital aforesaid, for which purpose they shall have free access to all the buildings, apartments and grounds belonging thereto, and the inspection of all books, papers and accounts relating to the management thereof. And it shall be their special duty to investigate, and in their annual report set forth, any discrimination which may at any time hereafter be made in favor of the sick of one creed, color or country over another in the granting of permits or the care of the sick, to the end that such abuse may be speedily corrected. All vacancies in said board of visitors shall be filled by a vote of the majority of the patrons of the hospital, hereinafter mentioned, at a meeting convened for the purpose on the call of the surviving members of the board, or in default of such election, by the board of visitors at their next annual meeting.

Directors' annual reports.

§ 8. The director of the hospital, together with the physicians and treasurer, all of whom are appointed by the aforementioned "Institution of Protestant Deaconesses," shall present an annual report of their respective departments of the hospital to the said board of visitors, which, if so ordered by them, shall be published in pamphlet form.

Privileges of contributors.

§ 9. Any contributor who has already, or who shall hereafter, subscribe the sum of one thousand dollars at a single benefaction, or who has subscribed a less sum and shall increase the same to one thousand dollars, on payment of the same into the treasury, shall be entitled to become a patron for life, and shall have the right to nominate and send in gratuitously one patient at all times during the year: *Provided*, that the person so nominated shall be of the condition and fall within and comply with the rules that may be established for the government of the hospital; and the same privileges and rights shall be conferred on any person or corporation paying one hundred dollars annually for the period of fifteen years, and the same privileges and rights to the free beds of the hospital shall be conferred on any church or religious society which shall take an annual collection for the benefit of the hospital amounting to the sum of seventy-five dollars annually.

Removal of funds, etc.

§ 10. The funds and property of said hospital shall never be removed from Chicago.

§ 11. The property and effects of said hospital, in the event of the said board of Protestant Deaconesses becoming, extinct, or in way failing or refusing to take the charge and care of said hospital, shall become and be the property of said board of visitors, in trust, for the uses and purposes, and by them to be managed, in accordance with the provisions of this act. Property, etc.

§ 12. No discrimination shall at any time be made in said hospital in favor of the sick of any creed, color or nation, either in the granting of permits or in the reception of patients, or in the care of the sick, or in any other particular. Discrimination of creed, color etc.

§ 13. In the event of a failure at any time on the part of said institution of Protestant Deaconesses to provide for the care of the sick in said hospital, said board of visitors may make proper provisions for such care. Care of sick.

APPROVED March 7, 1867.

AN ACT to make Grayson Smith Middleton heir-at-law of Grayson F. Middleton. In force Feb'y 21, 1867.

WHEREAS, on the night of the second of July, 1865, a foundling was left with Grayson F. Middleton, of Morgan county, Illinois; and, whereas, said child has been adopted, and christened Grayson Smith Middleton; and, whereas, said Middleton desires to make said adopted child his heir-at-law; therefore, Preamble.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said Grayson Smith Middleton shall be, and is hereby made and constituted a legal heir of said Grayson F. Middleton, with full power and authority to take, hold and enjoy and transmit any and all property that shall or may descend to him from Grayson F. Middleton, in the same manner as if he had been a natural born child of said Grayson F. Middleton. Legal heir.

2. This act shall be a public act, and shall be in force from and after its passage.

APPROVED February 21, 1867.

AN ACT making Jennie May Allen heir-at law of Harvey E. Allen. In force March 9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Jennie May Allen, daughter of Martin V. Allen, be and hereby is adopted by and made heir-at-law of Harvey E. Allen. Heir-at-law,

§ 2. This act to take effect from and after its passage.

APPROVED March 9, 1867.

In force Feb'y
25, 1867.

AN ACT to incorporate the Union Hall Association of Atlanta.

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| Name and style | <p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Benjamin Bean, James Shores, Alexander Downey, Charles B. Van Horn, Asa C. Barnes, Anthony N. Dills, and Morgan Williams, and their associates, heirs and assigns, are hereby declared and constituted a body politic and corporate, by the name and style of the "Union Hall Association of the town of Atlanta, Illinois," and by that name and style shall have perpetual succession, and shall be capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts and places whatsoever; may have a common seal, and may 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 acquiring, by purchase or otherwise, and of holding, improving and conveying real and personal estate, for the uses and purposes of said corporation.</p> |
| Powers. | <p>§ 2. The capital stock of said association shall not exceed twenty-five thousand dollars, and shall be divided into shares of twenty-five dollars each.</p> |
| Capital stock. | <p>§ 3. All the corporate powers of said association shall be vested in a president, vice president and five directors, who shall hold their office for one year and until their successors are elected. Annual meetings shall be held on the second Monday in February by the members of the association, for the choice of president, vice president and directors, and other business that may come before them, at such time and place, in the town of Atlanta, as may be designated by the directors, and notice thereof shall be given by posting in three of the most public places in the town of Atlanta, at least ten days previous to said meeting. And in all elections for office the ratio of votes shall be one vote for every share, to be ascertained <i>viva voce</i>, on call of the roll of stockholders, and no person shall be a president, vice president or director of said company who is not a stockholder thereof.</p> |
| Government of affairs. | <p>§ 4. The board of directors (a majority of whom shall constitute a quorum) shall have full power and authority to appoint a secretary, treasurer and such other officers as may be designated by the directors, and do all other acts necessary to promote the interest of the association, and to carry into effect the provisions and objects of this act; and until an election be held under the provisions of this act, the present officers elect, to-wit: Benjamin Bean, president, James Shores, vice president, and Alexander Downey, Charles B. Van Horn, Asa C. Barnes, Anthony N. Dills, and Morgan Williams, directors, shall perform all the duties to be per-</p> |
| Officers. | |

formed by such directors under this act, may make all needful by-laws, rules and regulations for the government of the association.

§ 5. The object of this association shall be to construct Object.
a hall for the use of said association, and for literary and benevolent societies and other general purposes.

§ 6. This act shall take effect from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate a public hall company in the city of Monmouth.

In force Feb'y
9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That J. K. Russell, E. E. Wallace, W. B. Jenks, N. and J. Carr, and all such persons as have subscribed or may subscribe for stock in an association formed for the purpose of building a public hall in the city of Monmouth, on lots one, four and five, in block twenty-four, in Monmouth, Illinois, are hereby constituted and declared a body politic and corporate, by the name and style of the "Union Hall Association of Monmouth," and by that name and style they may contract and be contracted with, sue and be sued, plead and be impleaded in all courts of law and equity; may make and use a common seal, and alter the same at pleasure; may acquire, by purchase or otherwise, and hold such real and personal estate as may be necessary, useful and convenient to accomplish the objects of the association, i. e., the building and construction of a two, three or four story building on said lots, one story of which, at least, shall be used for the purposes of a public hall, and the residue of the stories may be used for any purpose not inconsistent with the municipal laws of the said city of Monmouth, or of the laws of the state of Illinois or of the United States, and shall have power to convey and lease the same. Said association shall have power to purchase, for the purpose of erecting said building, any quantity of real estate, not to exceed one acre.

Name and style

Powers.

Object.

§ 2. The capital stock of said company shall be twenty-five thousand dollars, with the privilege of increase to thirty thousand dollars, and shall be divided into two hundred and fifty share of one hundred dollars each; but whenever two hundred shares of said stock is subscribed, said company may proceed to organize, make calls upon stock, and proceed to carry out the objects of the association.

Capital stock.

§ 3. Said corporation shall have power to borrow money at any rate of interest not exceeding ten per cent., as may

Borrow money.

be agreed upon, and to issue its bonds therefor, and may convey, in pledge, or security therefor, the real or personal estate of the association.

Directors.

§ 4. Said association, upon organization, shall have power to elect five directors, who shall elect from their number a president, secretary and treasurer, and said directors shall be elected annually thereafter on the first Monday of January of each year. A majority of such directors shall constitute a quorum and shall be capable of transacting the business of the corporation, and of making such rules, regulations and by-laws as they may deem proper: *Provided*, the same shall not be inconsistent with the constitution of the state or of the United States. Each share of the capital stock of said company shall at all elections represent one vote.

§ 5. This act to take effect from and after its passage.

APPROVED February 9, 1867.

In force March
9, 1867.

AN ACT to incorporate the Elgin Hydraulic Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William C. Kimball, Thomas Clark, John Spillard, Philo Sylla, Increase C. Bosworth, Henry Bierman, Francis Jackson, Edward S. Wilcox, Theophilus Renwick, Augustus Heide-
man, and all other persons who are owners of the water power and dam across the Fox river at Elgin, Kane county, Illinois, and their successors, be and they are hereby created a body corporate and politic, under the name and style of the "Elgin Hydraulic Company," and as such corporation, and by that name shall have perpetual succession, with full power to contract, to sue and to be sued, in all courts; to have a common seal, and to alter the same at pleasure, and to have all power necessary or incidental to carrying into effect the objects of this act, and such as are possessed by similar corporations in this state.

Name and style

Powers.

Subscription.

§ 2. Any three of the above named corporators are hereby authorized to open in said city of Elgin, books of subscription to the stock of said corporation at any time after the passage of this act, and each member shall have one share of stock and one vote at all meetings of the stockholders for each and every square inch of said water power owned or represented by him, and as soon as the persons owning or representing a majority of said water power shall have subscribed to said books, the said corporation may organize and the corporators shall thereupon call a meeting of the stockholders for the election of three

Organization.

directors, and the transaction of such other business, not inconsistent with the provisions of this act, as may be deemed necessary.

§ 3. The affairs of said corporation shall be managed by a board of directors to consist of three stockholders thereof, who shall be chosen annually at such times and in such manner as the stockholders shall determine by their by-laws. Directors.

§ 4. It shall be the duty of said corporation, acting through its board of directors to keep and maintain the dam across the Fox river at Elgin aforesaid, in good and perfect order and repair at all times, and also to maintain and preserve the raceways on each side of said river and generally to do such other acts and things for the preservation and maintenance of said water power as the said board of directors may deem necessary and proper. Dam across Fox river—raceways.

§ 5. It shall be the duty of said board of directors to so regulate the gates, flumes and apertures for drawing water from said raceways of each of the stockholders of said corporation as to prevent each of said stockholders from drawing or using more water than properly belongs to him, her or them, and in order to enable said directors the more effectually and promptly to perform said duty, they are hereby authorized and empowered at any and all times to enter upon the premises of any stockholder of said corporation, and to so change, alter or repair the gates, flume or other aperture for drawing water from either of said raceways of any stockholder of said corporation, as to prevent such person from drawing or using more water than he or she may be entitled to use and to stop all leakage and waste of said water, and all expenses incurred in enforcing the provisions of this section shall be assessed by said board to the stockholders upon whose premises such expenses are incurred, and collected in the manner herein provided for the collection of other assessments by said board. Gates, flumes, etc.

§ 6. Said board of directors shall have full power to regulate the drawing of water from said dam and raceways, and it shall be their duty at all times of low water to direct the quantity drawn and time of drawing the same by each proprietor thereof, in such manner, as to insure to each stockholder the use of his or her full and just proportion of said water power and as shall also be most conducive to the interests of said corporation. Drawing of water.

§ 7. For the purpose of paying the expenses of making such repairs as are hereinbefore specified, and of performing the duties herein enjoined upon said board of directors, it shall be the duty of said board from time to time as they shall deem necessary and proper to estimate as correctly as may be, the amount requisite for carrying into effect the provisions hereof, and they shall thereupon assess the amount of such estimate upon the various stockholders of said cor- Assessments for repairs.

poration ratably in proportion to the number of square inches owned or represented by them respectively.

Assessments. § 8. It shall be the duty of the aforesaid board of directors, immediately upon making any such assessment, to serve a written notice upon each of the stockholders so assessed, stating the amount of the estimate and the sum assessed against such stockholder, which notice may be served by delivering a copy thereof to such stockholder personally, or by leaving a copy thereof at the residence of such stockholder with some member of his or her household: *Provided, however,* that if any stockholder of said corporation shall not be a resident of said city of Elgin, the said board of directors in lieu of serving such written notice upon such non-resident stockholder, may publish the same by one insertion in a public newspaper of said city of Elgin, which said publication shall have the same force and effect as the personal service of said notice.

Payment of assessments. § 9. Within ten days after the notice or publication of the notice mentioned in the preceding section hereof, the sum so assessed shall become due and payable from each stockholder to said board of directors, and it shall be the duty of each stockholder so assessed, to make immediate payment of the same to the treasurer of said corporation, at his office in Elgin aforesaid.

Refusal to pay. § 10. Should any stockholder of said corporation, neglect or refuse for the space of ten days after the service or publication of such notice as provided in the preceding section hereof, to pay the amount of such assessment to the treasurer of said corporation, it shall be the duty of said board of directors to cause a copy of such estimate, assessment and notice to be filed in the office of the county clerk of said Kane county, and at the next regular term thereafter of the Kane county court, the judge thereof, shall hear the evidence offered in support of and against such estimate, assessment and notice, and confirm, annul, change or amend the same in a summary manner according to the rights and interest of said corporation and stockholder: *Provided, however,* that no assessment shall be made against any stockholder of said corporation, except upon the basis of the number of square inches of water power owned or represented by him or her, as compared to the whole amount of said power.

Proviso.

Judgments. § 11. It shall be the duty of the clerk of said court, immediately upon the rendition of any judgment in the cases provided for in the preceding section, to enter said judgment upon the records of said court, and to issue execution thereon in the manner provided by statute for the entering of judgments and issuing of executions in the circuit courts of this state.

Validity, force and effect of.

§ 12. The judgments rendered in pursuance of this act, shall be a valid lien upon the portions of water power against which the same are assessed and the executions

issued thereon, shall have the same force and effect, and shall be executed and returned in the manner provided by statute, for the collection and return of executions issued by clerks of the circuit courts of this state.

§ 13. Nothing herein contained shall be so construed as to prevent said board of directors from bringing suit for the collection of any assessment made by them according to the provisions of this act in the established courts of this state. Collection of assessments.

§ 14. The said company may by its by-laws, establish such penalty for the violation by any of its members of any of the foregoing sections, or the regulations made in pursuance thereof, not to exceed twenty-five dollars for any one offence, the same to be recovered in an action of debt before any justice of the peace, in and for Kane county. Penalties, etc.

§ 15. This act shall be a public act, and shall be favorably construed for the enforcement of its provisions, and it shall be in force from and after its passage. Construction of act.

APPROVED March 9, 1867.

AN ACT to incorporate the Fox River Hydraulic and Manufacturing Company. In force Feb'y 16, 1867

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Clark Wilder, Amos T. Hall, John R. Coulter, Vine A. Watkins, W. W. Bishop, Julian S. Rumsey, Charles L. Hoyt, William Lawrence, E. H. Haddock, Eugene Canfield, Russell C. Mix, D. W. Hurd and Robinson L. Carter, and their associates, be and they are hereby created a body politic and corporate by the name and style of "The Fox River Hydraulic and manufacturing company," and by that name they and their successors shall have succession and be capable in law of contracting, and being contracted with, in all courts and places, and in all matters whatsoever; of having and using a common seal, and of altering or changing the same at pleasure; and they, and their successors may also, by that name and style, be capable of purchasing, holding, enjoying, conveying, leasing and incumbering, such real and personal estate as, in the opinion of said corporation, may be necessary for the purposes of said corporation, in the due exercise of its business. Corporators.
Name and style
Powers.

§ 2. The capital stock of said corporation shall be two hundred and fifty thousand dollars, which shall be divided into shares of one hundred dollars each, and be deemed and considered as personal property, and the same shall be subscribed for and taken, under the direction Capital stock.

of the board of directors of said corporation, in such time and places and manner as the board of directors shall from time to time direct. The said capital stock of said corporation may from time to time be increased by the board of directors to any amount not exceeding one million of dollars.

Organization.

§ 3. The affairs of said company shall be managed by a board of nine directors, one of whom shall be chosen by said board president, another secretary, and a third treasurer, of said corporation; and a majority of said board, present at any meeting thereof, shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time. The first board of directors of said corporation shall be elected by the corporators hereinbefore named, or a majority thereof, from their number, as soon as practicable after the passage of this act, and shall hold their respective offices until their successors shall be elected and qualified. As soon as fifty thousand dollars of the capital stock of said corporation shall have been subscribed for and taken, in the manner hereinbefore provided for, it shall be the duty of said board of directors to call a meeting of said stockholders by giving one week's notice, either by personal service, or by advertisement in some newspaper published in the city of Aurora, of the time and place of said meeting, at which said meeting, said stockholders shall proceed to elect the second board of directors, a plurality electing; which said board of directors shall hold their respective offices for the term of one year, and until their successors shall be elected and qualified; and the annual meeting of the stockholders of said company shall thereafter be held on the same day of the same week in the same month on which said first meeting of said stockholders shall be held, in each and every year, unless said stockholders shall, at some annual meeting direct otherwise: *Provided, however*, that if for any cause, any such annual meeting shall not be held, and such election had, said corporation shall not thereby be held to be dissolved, but, in such case, it shall be the duty of the president and secretary of said corporation, to call a special meeting of the stockholders thereof, by giving four weeks' notice thereof, in some newspaper published in the city of Aurora, specifying the time and place of such election; and any election had at such special meeting shall be as valid and effectual as though it had been held at the time hereinbefore provided for.

Proviso.

§ 4. At all elections held by the stockholders of said corporation, for said board of directors, each stockholder shall be entitled so one vote for each share of stock held by him, and may vote either personally or by proxy. And no person shall be eligible as a member of said board of directors, unless he be, at the time of such election, a stockholder in said company, and above the age of twenty-one

years: *Provided, however*, that the provisions of this section shall not apply to the board of directors first to be elected under the provisions of this act. Proviso.

§ 5. In case of any vacancy occurring in said board of directors, by death, resignation or otherwise, the same may be filled by the board at any regular meeting of the same; and the person, so elected to fill such vacancy, shall hold his office until his successor shall be duly elected and qualified. In case of the absence of the president, secretary or treasurer, of said corporation, said board shall have the power to appoint substitutes respectively, who shall have the powers, and perform the duties of such office respectively, *pro tempore*. Vacancies.

§ 6. The board of directors of said corporation, shall have the power, from time to time, to make such rules and regulations, for their own guidance, and for the guidance and control of the subordinate officers and employees of said corporation, not repugnant to the laws of this state and of the United States, as they may deem expedient; they may also appoint such sub-committees, engineers, agents and attorneys, and other subordinate officers, with such powers and under such limitations, as they may deem expedient; and the records of said board of directors, or of any officer thereof, or of said corporation, kept according to the by-laws of said corporation, shall be admitted in all courts and places whatsoever, and be held to be *prima facie* evidence of the proceedings of said corporation, or of the officers thereof. Rules and regulations.

§ 7 At each meeting of the stockholders of said corporation, for the election of a board of directors as hereinbefore provided, a report of the condition of the affairs of said corporation, shall be submitted by said board of directors to said stockholders, which shall be sworn to by the president, secretary and treasurer, of said corporation. Said report shall contain a statement of the assets and liabilities of said corporation, and of the receipts and expenditures of the same during the preceding year. Reports.

§ 8. The capital stock of said corporation that may be taken and subscribed for, as hereinbefore provided, from time to time, shall be payable in such installments, and at such times, as the board of directors shall from time to time determine, thirty days' notice of each call, (except the installment to be paid down, if any such shall be by said board of directors required), being given by said board, under the hand of the secretary, in some newspaper published in the city of Aurora: *Provided nevertheless*, that no call on said stock shall be made by said board of directors of an amount exceeding twenty-five dollars a share, at any one time: *And provided further*, that at least ninety days shall intervene between the time when any two calls on said stock shall be due and payable. Stock subscription.

Proviso.

Proviso.

Stock—transfer § 9. The stock of said corporation shall be transferable upon the books of said corporation only, and in such manner and upon such conditions, as the board of directors of said corporation may prescribe; but in case any stockholder shall be in arrears for calls made upon stock held by him, he shall not have the right, while he is so in arrear, to transfer or assign the same, without the consent of the board of directors, and while so in arrear, any such stockholder shall be debarred from the privilege of voting at any election for officers of said corporation.

Liens, installments, etc. § 10. The said company shall have a lien upon all the shares of stock held by the several stockholders, for the payments of such installments thereon as may be called for by the board of directors, under the provisions of this act; and if any stockholder shall fail to pay any such installment, when the same shall be required of him, said corporation may have any or all of the following remedies, as the board of directors may determine, to-wit:

Suits. *First*, Suit may be brought against such stockholder in any court of competent jurisdiction, and the amount of such installment or installments, with interest thereon, at the rate of ten per cent. per annum, from time to time when the same became due and payable, to the rendition of the judgment, recovered against him.

Forfeitures. *Second*, The board of directors may declare the said stock forfeited to said corporation, unless the amount due thereon, with interest at the rate of ten per cent. per annum, from the time when the same so became due and payable, shall be paid within thirty days. And if the same be not paid within thirty days after notice to such delinquent stockholder from said board of directors, of their declaration or resolution as aforesaid, said stock shall be, and be held to be, forfeited to said company.

Sale. *Third*, The board of directors may cause the stock of such delinquent stockholder to be sold at auction, by giving thirty days' notice of such sale, in some newspaper published in the city of Aurora; and out of the proceeds of such sale, first deducting all expenses of such sale, they shall retain the sum due on such stock for the installment or installments in arrear, with interest at the rate aforesaid, and the overplus, if any, shall be paid over to the stockholder who held the stock so sold.

Assessments—liabilities of stockholders. § 11. Without the concurrence of at least three-fourths in value of all the stockholders of said company, no assessment shall be made upon the paid up stock of any stockholder for any additional payment, on account of such stock, nor in any event shall any or all such assessment or assessments ever be made to an amount exceeding twenty-five dollars per share. Every stockholder of said corporation shall be personally liable to the amount remaining unpaid of the stock held by him, for the debts and liabilities of said corporation, and no further.

§ 12. Said company may acquire, hold, own, enjoy and control, create and maintain such lands near to and water power upon Fox river in the state of Illinois, as may be deemed suitable for the operations of said company and improvements connected therewith, or any part thereof, together with the rights and privileges accruing therefrom, or in any wise appertaining thereto; may erect such buildings and machinery, as they may deem expedient; may engage in the manufacture of cotton, woolen, hempen, flaxen or other goods, machinery or other manufactures; and may lease or sell power, lands and machinery, to individuals or corporations, as may be deemed expedient; and may also acquire, hold and enjoy such other real estate as may be deemed necessary, and may lay out the same as a town, or as an addition to a town, in streets, alleys, blocks, lots and squares, and sell and convey the same, or any part thereof under such regulations, and upon such conditions as the board of directors, or any officer or agent appointed for that purpose by said board of directors, may prescribe. Said company may also take and hold such notes, mortgages and other choses in action or securities as in the transactions and business of said company may become necessary or convenient, and may collect, sell or assign the same. And the board of directors shall have power to declare dividends out of the actual profits of said corporation or from the sale of the land last above mentioned, payable either in cash, or stock, as may be deemed expedient.

Lands, etc.

Business and operations.

§ 13. In case said corporation shall desire to obtain from the proprietors or owners thereof any lands for the improvement of any water power which they may acquire under the provisions of this act, which they may need for the location of any canals or race of any kind or description whatever, or for the location upon, of any bulk heads or tail races, head gates, or other appurtenances necessary to the use of said water power, or any lands that may be flowed, or otherwise injured by their said dam, canals or races, and shall be unable to obtain the same by voluntary purchase, grant, assignment or release, said company shall have the right to, and may proceed to appropriate such lands to their use, and to condemn the same, and to have the damages sustained by such owners by reason of such appropriation, assessed under and in pursuance of the provisions of the general laws of this state, that from time to time may be in force, relative to acquiring and condemning of rights of way, and upon the tender of the amount of such appraisal to such owner or owners, and in case the same is not accepted, the deposit of the amount thereof with the clerk of the circuit court, in the county where such lands are situate, said company are hereby authorized to enter upon such lands, for the construction of said improvements.

Appropriations of lands, etc.

Improvements. § 14. The improvements mentioned in the preceding section shall be deemed, and are hereby declared to be, internal public improvements, and this act shall be liberally construed for the furtherance of the same.

Indebtedness. § 15. The said company are authorized and empowered to borrow, from time to time such sum or sums of money, not exceeding the capital stock of the company, as in the discretion of the board of directors, may be deemed necessary, in the construction of their improvements and works, and to pay any rate of interest therefor, not exceeding ten per cent. per annum, and to pledge and mortgage the said improvements and the appendages, or any part thereof, or any other property or effects, rights, credits or franchises of the said company, as security for any loan of money and interest thereon, and to dispose of the bonds issued for such loan at such rate or on such terms, as the board of directors may determine.

§ 16. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 16, 1867.

In force Feb'y 21, 1867. AN ACT to incorporate the Des Moines Rapids Improvement and Hydraulic Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Ivory Quimby, Zebulon Parker, John G. Fonda, George Edmonds, jr., Alexander Sympson, Francis M. Corby, Mathew M. Waldemeyer, William C. Hooker and David Mack, and their successors, associates and assigns, be, and they are hereby created a body politic and corporate, by the name and style of "The Des Moines Rapids Improvement and Hydraulic Company," and by that name they, their associates, successors and assigns shall have perpetual succession, shall have power to contract and be contracted with, sue and be sued, plead and be impleaded in all courts and places; to acquire, hold, use or convey real or personal property, in such quantities as they shall deem necessary for the use of said corporation, not exceeding five millions of dollars, and may acquire the same by purchase, gift, condemnation or otherwise, and may use, rent or sell the same or any part thereof, as fully as natural persons may do; may borrow money for the use of said company, and secure the same by mortgage upon their property, franchises or otherwise. The capital stock of said company shall be five millions of dollars, to be divided into shares of one hundred dollars each, but said company may fully organize and do business whenever one

hundred thousand dollars of such stock shall be subscribed and five per cent. thereof paid in. Books shall remain open for subscription to such stock, until the entire stock shall be taken. No stock shall be subscribed after the organization of said company, unless five per cent. of the amount subscribed shall be paid into the treasury of said company at the time of such subscription.

§ 2. The persons named in the first section of this act shall be commissioners to take subscriptions to the stock of said company, until said company shall be organized. Commissioners. Whenever one hundred thousand dollars of said stock shall be subscribed, said commissioners shall call a meeting of stockholders, and said stockholders shall elect nine directors, Officers. but no person shall be elected director unless he owns at least ten shares of said stock. Said directors shall hold their office for one year, and until their successors are elected and qualified, and shall elect one of their number president, who shall hold his office for one year, and until his successor is elected and qualified. Said directors shall appoint a secretary and treasurer, and prescribe their duties, and may require bond in such condition and penalty as they shall prescribe. Said secretary and treasurer shall hold their office during the pleasure of said directors. Said directors may appoint such other officers and agents as they shall think advisable, and prescribe their powers and duties; may fix the compensation of all officers and employees; may make all needful by-laws, not inconsistent with the laws of this state; shall keep an office in Hancock county, Illinois. A majority of said commissioners shall meet at Carthage, Illinois, and open books for subscription to the stock of said company, within thirty days after the passage of this act.

§ 3. Said company are hereby authorized and empowered to construct any work in, or near the Mississippi river, on or near the Des Moines rapids, for the improvement of the navigation of said river, and for hydraulic purposes, which shall be approved by the congress of the United States of America, or by the secretary of war under authority of any law of the congress of the United States, and may charge such tolls, for the use of said works, as congress of the United States or the legislature of Illinois shall prescribe. And for the purpose of the erection and completion thereof, shall have power to condemn such grounds, stone, clay, gravel, earth and other material as shall be required for such work, in the same manner as any railroad company or other public works; or the managers or superintendents thereof, may obtain the right of way, or material Authority to construct work. for the construction thereof, under any law of this state. Right of way. Either party may appeal from such condemnation as prescribed for appeals in case of railroads or other public work condemnations, but such appeal shall in nowise prevent the

Mills, etc. progress of the work on the occupation by said company of the property condemned, provided the amount originally assessed shall be paid into court with costs. Said company may construct and operate mills and machinery of any and all kinds, or rent or lease the same, or may lease or sell the use of water for hydraulic purposes, but shall in no case materially interfere with the navigation of said river, by the draft of water therefrom, for hydraulic purposes.

Possession by U.S. etc. § 4. Either the state of Illinois or the United States, may at any time take possession and control of the works hereby contemplated for the improvement of the navigation of said river, upon paying to said company the original cost of such work with interest at ten per cent., (deducting tolls received by said company:) *Provided, however,* that the hydraulic power created thereby, shall forever be and remain the property of said company, their successors and assigns, and shall never be interfered with, either by this state or the United States, except to make such regulations that the water drawn by said company shall not materially interfere with the navigation of said river.

Subscription to capital stock. § 5. The subscriptions to the capital stock of said company shall be collectable in the name of said company, the same as a note of hand payable to said company; and the directors of said company may make such calls as they may deem advisable therefor, giving thirty days' notice of such calls, and may recover upon each separate call the same as on a note of hand for such subscription. Said stock shall be personal property, and transferable upon the books of said company only. Said company may declare any stock forfeited to said company for non-payment of any call.

Time of construction. § 6. The company hereby created shall commence the making of said improvements in good faith, within three years after the passage of this act, and complete the same within ten years from the same date, and in case of default therein, all the rights granted hereby, shall cease and be null and void.

§ 7. This act shall be a public act and be in force from and after its passage.

APPROVED February 21, 1867.

In force March 7, 1867.

AN ACT to incorporate the International Life Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel J. Anthony, Andrew Brown, William Blair, S. C. Griggs, Gilbert Hamilton, H. H. Husted, Van H. Higgins, Joseph Kettlestrings, J. B. Lewis, J. A. McCullough, B. S. Morris,

Corporators.

Robert Meadowcroft, J. H. Rees, George Scoville, R. K. Swift, Elisha Wordworth, and all others who may become associated with them as subscribers to the stock of the company hereby created, their successors and assigns forever, be and they hereby are created and made a body politic and corporate, by the name and style of the "International Life Insurance Company," and by that name shall be and hereby are empowered to purchase, have, hold, possess and enjoy, by themselves, successors and assigns, forever, lands, tenements, hereditaments, goods, chattels, choses in action, and effects of every kind, and the same to grant, sell, alien, invest, loan and dispose of; to sue and be sued, plead and be impleaded, in all courts of law and equity; to have and use a common seal, and the same to change, alter or renew at pleasure. But, nevertheless, said corporation shall not be entitled to acquire, hold or possess real estate, except such as may be necessary for the purposes of its business, unless the same shall be acquired for debts due said corporation. And no real estate, except such as may be used in the transaction of its business, shall be held by said company for more than five years after acquiring the same. In case of any loss which the company may sustain under any policy issued by it, or other evidence of indebtedness or liability, it shall be lawful for said company to draw upon any funds for the payment thereof which may stand to the company's credit, and also to make advances upon orders where moneys may be placed to its credit.

Name and style

Corporate powers.

§ 2. The business and affairs of said corporation shall be managed by a board of not less than three nor more than fifteen directors, and such officers and agents in this state and other states and places as they may appoint. The first board of directors shall be elected by the corporators aforesaid, or such of them as may act, together with such other persons as may become associated with them as subscribers to the stock of said company; and thereafter the said directors shall be elected by ballot, by and from the stockholders of said company. They shall hold their office for the term of three years, and until others shall be elected or chosen to fill their places. In case of a vacancy by death, resignation or otherwise, the remaining directors may fill such vacancy, by appointment, until the next regular election. A majority of said directors shall always be residents of the state of Illinois. The said board of directors shall have power to ordain and put in execution such by-laws and regulations as they may deem proper for the well ordering and government of said corporation: *Provided*, they be not repugnant to the laws of the United States or of this state, or to the provisions of this act of incorporation. They shall have power to appoint all such officers and agents as they may think desirable, and to fix their salaries, compensation, duties and terms of office. They shall require the

Management of affairs.

officers in charge of the home office of said company to make out an annual report of the resources and liabilities, receipts and expenses, business and losses of the company—to be verified by affidavit—of which report each stockholder and policy holder shall be entitled to a copy, on application at the office of the company. The home office of said company shall be located in the city of Chicago. Insurance policies and other contracts to which said corporation may be a party, shall be valid and binding with or without the seal of said corporation attached. There shall be a meeting of the stockholders at the office of the company, in Chicago, on the third Wednesday of May of each and every year. Six stockholders, representing, either by ownership or proxy, one-half the capital stock of the company, shall constitute a quorum for transacting business.

Organization.

§ 3. At any time within two years from and after the passage of this act, the said incorporators, or such of them as may act, shall proceed to organize the company, by the election of the first board of directors, and open books for subscription for the capital stock of said company; and subscribers therefor may be required to pay for the stock so subscribed for by them in installments, as may be ordered by said board of directors; and they may and shall forfeit, for the use of the company, all installments and payments that may have been made by them thereon, upon failure to make due and punctual payment of any installment that may be called for or ordered by said directors.

Stock subscrip-
tion.

Stockholders'
vote.

§ 4. At all elections for directors the stockholders shall be entitled to one vote, by themselves or proxy, for each share of stock held and owned by them respectively.

Stock shares
transferable.

§ 5. Shares on said capital stock shall be transferable only on the books of said corporation, according to the rules and regulations of the company.

Capital stock.

§ 6. The capital stock of said company shall be one hundred thousand dollars, and may be increased to any sum not exceeding one-quarter of a million of dollars. Before any life risks shall be taken, or any annuity or endowment contracts made (except to shareholders), at least seventy-five thousand dollars shall be subscribed; and there shall first be paid in, as capital stock, at least fifty thousand dollars.

§ 7. Certificates of shares in the capital stock may be issued for such uniform amounts as may be provided for in the by-laws; and it shall be lawful for the directors to guarantee and pay from the net profits of the company's business preferred dividends.

Net premiums.

§ 8. A portion of all the net premiums received on life risks or for annuity or endowment contracts, sufficient to cover the value of all outstanding life policies, annuity and endowment contracts, shall be set apart to pay losses and liabilities, and shall be called the reserve fund, and the

remainder thereof, after paying losses and liabilities, shall be invested and re-invested for its own account, and the remainder and income thereof shall be kept, held and used to pay losses by life risks, annuity and endowment contracts of this company, so long as any such risks or contracts are outstanding.

§ 9. No insurance to exceed ten thousand dollars shall be taken or granted on any one life. Insurance limit

§ 10. No loan shall be made to any stockholder, on pledge of his or her shares in the said capital. Loans.

§ 11. The company may also have and exercise all other rights and powers incidental, usual and needful, in the business of life insurance, or in granting annuity or endowment contracts and re-insurance.

§ 13. The company may receive, execute and fulfill, for any of its shareholders, any trust or trusts which the board of directors may deem proper to accept for them and their successors in office. Trusts.

§ 14. No trust or trusts, accepted by the board of directors, as provided for in sections fifteen and sixteen hereof, shall in any way be a charge or lien on the said capital or the said reserve fund; nor shall any part of said capital or reserve fund be used or appropriated for any such trust or trusts. Liens.

§ 15. The business, affairs, funds and values of each and every trust accepted for the company by the board of directors, shall be kept separate, each for its own account, and each of such trusts at its own risk. Trusts separate.

§ 16. Nothing in this act shall be construed to authorize the business of banking. Banking forbid.

§ 17. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void; and nothing in this act shall be construed so as to exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. When to organize.

§ 18. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Home Fire and Marine Insurance Company, of Paris, Illinois. In force March 6, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Calvin W. Levings, Daniel G. Burr, Andrew J. Hunter, James A. Eads, of Paris, Illinois, 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 Home Insurance Company, at Paris, Edgar county, Illinois," to have continuance and succession, for the term of fifty years, from and after the passage of this act; and, by said corporate name and style, shall be, for the term aforesaid, capable in law and equity to sue and be sued, to plead and be impleaded, and to do all other matters and things necessary in law to protect and defend their corporate rights; and may have a common seal, which they may change at pleasure.

Capital stock. § 2. The capital stock of said company shall not be less than one hundred thousand dollars; which may be increased to three hundred thousand dollars, but no more, divided into shares of one hundred dollars each. The stock shall be deemed personal property, and transferable on the books of the company; but no stockholder shall be permitted to transfer his stock while he is indebted to the corporation.

Subscription. § 3. The persons named in the first section of this act are appointed commissioners for procuring said capital stock of one hundred thousand dollars; and said commissioners, or any three of them, shall open subscription books for such stock on such days and at such times and places as they may deem expedient, and shall give at least three weeks' notice of the name in one or more newspapers printed in the town of Paris, or elsewhere; and said books shall be kept open from time to time until the sum of one hundred thousand dollars be subscribed.

Stockholders' meeting. § 4. When the full amount of one hundred thousand dollars shall have been subscribed, and one dollar on each share of stock paid on subscription to said commissioners, they shall then notify the stockholders of the same, and appoint a time and place at which they shall meet, giving five days' notice of said meeting in one or more of the weekly newspapers published in the town of Paris, and receive their votes for the election of not less than five nor more than thirteen directors, who shall manage the business of the company, and shall hold their office for one year and until others are elected in their places, and who shall at the time of their election, be citizens of the United States and holders, respectively, of not less than ten shares of stock. The voting at all elections shall be by ballot; but absent stockholders may vote by proxy, in writing.

Election of directors. § 5. When the stockholders shall have elected the board of directors, the commissioners shall deliver to said directors the subscription books, moneys collected on account of the same, and all other papers and things in their hands necessary to a full organization of said company; and the said directors shall proceed to organize, by the election of a president from among their number, a secretary, and any

Delivery of books, etc.

other officers or agents they may deem necessary for the successful working of said company, who shall hold their offices during one year. The board shall adopt such by-laws for the general conduct of the business of [said] company as they may from time to time deem advisable; they shall also fix the salaries and define the duties of all employees of the company.

§ 6. When the board of directors shall be organized, as provided in section five, they shall call in, by personal or public notice of at least ten days, such an amount of the capital stock as they may deem expedient, but not less than nine dollars on each share; which, together with the amount paid to the commissioners, shall constitute the first installment on the capital stock and shall require the residue of the said stock to be secured by United States bonds, state bonds at their par value, or first mortgages on real estate of double the value on the amount secured, and shall issue therefor certificates of stock, setting forth the amount paid in cash, and the amount and condition of the stock notes for the residue; and that the stock books of said company, after the organization of said board shall continue open at the office of said company for subscription, until the full one hundred thousand dollars shall have been subscribed; and upon the subscription of any stock, after the organization of said board, the sum of ten per cent. shall be paid into the board by the person subscribing such stock, which shall constitute the first installment on the stock so subscribed; and the board of directors shall require the residue of the stock so subscribed to be secured by good and legal stock notes, and issue certificates for such stock, in the same manner as is provided for the execution of stock notes and granting certificates for the stock subscribed before the organization of said board: *Provided*, that if at any time the directors shall consider any of the stock notes insecure they shall have power to require additional security on the same, after due notice, under such penalties and forfeitures as they may provide in their by-laws.

§ 7. This corporation shall have power to issue policies of insurance against loss or damage by fire on houses, stores and all other buildings and structures, on personal property of all descriptions, and to make marine insurance upon steamboats and all other vessels and water crafts, on their tackle, freight, cargoes and all kinds of personal property in course of transportation; and to do and perform all necessary acts and things connected with these objects or any of them. All policies of insurance shall be subscribed by the president or vice president and countersigned by the secretary.

§ 8. The board of directors shall make such dividends, annually or semi-annually, as in their judgment the affairs

Calls for stock.

Payment.

Certificates.

Proviso.

Business transactions and operations.

Dividends.

of the company will permit. All such dividends shall be indorsed upon the unpaid stock notes until they are paid in full.

Invest funds. § 9. It shall lawful for the said corporation to invest its funds in United States stocks, stocks of this state, mortgages on inuncumbered real estate, in Edgar county, or elsewhere, with fifty per cent. more than the amount loaned thereon, and on such other safe securities as the board of directors may determine.

Fiscal year. § 10. The fiscal year of the company shall commence on the first day of January, and terminate on the thirty-first day of December. The officers of the said company shall during the month of January, in each year, cause a full and accurate statement of the affairs of said company to be made in some one of the weekly newspapers published in the town of Paris.

Principal office. § 11. The principal office of said company shall be located in the town of Paris, Edgar county, Illinois, but it may have agents and transact business within and out of the state.

Possession of real estate, etc. § 12. It shall be lawful for said company to purchase and hold such real estate as may be convenient for the transaction of its business, and, also, to have and hold any real estate as security, by mortgage or otherwise, to secure the payment of debts due in good faith to said company, either for shares of capital stock or otherwise; also, to purchase real estate at any sale in virtue of any judgment at law, decree in equity, or deeds of trust, in favor of said company.

Election for directors. § 13. The stockholders of said company shall meet, annually, on the second Monday of January, in each year, and elect directors for the then current year, at the office of the said company, in the town of Paris.

Conferred franchises, etc. § 14. That all the franchises and powers conferred by act of incorporation upon the "Sangamon Insurance Company," approved February 16, 1857, be and the same are hereby conferred upon the "Home Fire and Marine Insurance company," at Paris, Edgar county, Illinois.

Time for organization limited. § 15. Unless the said company shall be organized within two years after the passage of this act, then this act shall be void, and nothing in this act shall be construed so as to premit said company to [do] banking business or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 16. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 6, 1867.

AN ACT to incorporate the Western World Insurance Company.

In force March
7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Lorenzo Leland, Richard Thorne, John V. A. Hoes, Hugh Hamilton and William M. True, their associates and successors, and all such persons as shall become stockholders, be and they are hereby created a body corporate and politic, by the name and style of "The Western World Insurance Com-
pany." The corporation may have a common seal, and power to appoint all such servants and agents as it may deem necessary; and may make and establish such by-laws, rules and regulations for the management of its affairs as it may think proper, not inconsistent with the constitution and laws of the United States and the state of Illinois, and at its pleasure to amend, alter and repeal the same, and to have process and enjoy all those rights, privileges and immunities of any and all other like corporations, and to be recognized in all its rights and powers, without pleading the same, in all courts of the state of Illinois.

Name and style

Powers, etc.

§ 2. The capital stock of this company shall be five hundred thousand dollars, with power to increase the same, by a vote of a majority in interest of the paid stock at the date of such votes; said stock shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and transferable on the books of the company only, under such regulations as may be adopted by the company.

Capital stock.

§ 3. When a subscription to the capital stock of not less than one hundred thousand dollars shall have been made, and ten per cent. thereof paid, and the balance secured by mortgage upon unincumbered real estate, worth double the amount secured, or by United States bonds or by Illinois state bonds, the subscribing shareholders may meet and choose a board of five or more directors, in whom all the powers of the corporation not otherwise herein specially limited and provided, shall be vested. The board of directors may choose one of their number as president, and one vice president, and also a secretary and a treasurer, and such other officers and agents as they may deem necessary, whose qualifications, duties, compensation and term of office may be fixed and prescribed in the by-laws, regulations and resolutions of said board from time to time. The board of directors shall hold their offices for one year, and until their successors are elected and qualified.

Subscription.

Officers and directors.

§ 4. The said company shall have power to make insurance against loss or damage by fire, lightning, wind, storms and tornadoes, on any and all kinds of property, buildings and fixtures, or any interest therein; they may make any and all kinds of marine and inland insurances, and insurances of all kinds on horses, cattle and other stock

Business and affairs.

and property, and may fix, charge and receive therefor such rates of premium as may be agreed upon between the parties, and may fix and determine such conditions and regulation thereto as they may deem proper, and any or either of such insurances may be done upon the mutual or stock principle, or upon both together. They may also cause themselves to be re-insured upon any or all risks or portions thereof that they may have made insurance upon.

Dividends.

§ 5. The board of directors may, from time to time, in their discretion, estimate the net earned profits that have accrued on the business of the company, and declare such dividend thereof to the stockholders as they may deem advisable. They may, also, after having obtained the consent in writing of three-fourths of the stockholders, allow the insured to participate in the net profits of the company to such an extent and upon such terms and conditions as they may deem expedient.

Investment of surplus funds.

§ 6. The company may invest any surplus capital, or other money on hand, in any kind of stock or other securities, or in real estate, bonds or mortgages, or may loan the same at any rate of interest agreed upon, and may discount the interest reserved out of such loan. They may own

Possession of real estate.

such real estate as may be needful for the transaction of their business, and may take, hold, sell and convey such other real estate as it may be necessary to secure any loan or debt due to the company.

Agencies.

§ 7. The directors may establish agencies, and do all such acts by and through them, according to the powers herein granted as may be authorized by the by-laws and regulations; they may fix, determine and prescribe the manner of making applications and the terms and conditions of the policy, and the manner of adjusting losses; they may also prescribe the manner in which the unpaid stock shall be secured, and fix the time or times for the payment of the same, with full power and authority to enforce such payment under such penalties as they may deem proper.

Losses.

Construction of act.

§ 8. This act shall be deemed a public act, and shall be liberally construed for the purposes therein contained, and shall take effect from and after its passage.

Time of organization limited. Subject to general laws.

This act shall be void unless said company shall organize and proceed to business within two years after the passage of this act. The said company shall be subject to any general laws of this state that may hereafter be passed on the subject of insurance or insurance companies.

APPROVED March 7, 1867.

AN ACT to amend an act to incorporate the Germania Fire, Marine and Life Insurance Company, of Chicago, approved February 16th, 1865. In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Germania Fire, Marine and Life Insurance Company, of Chicago, shall hereafter be known as the Germania Insurance Company, of Chicago: *Provided*, that said company in adopting this change of name shall continue to be responsible for all and singular the liabilities contracted by the Germania Fire, Marine and Life Insurance Company, of Chicago. Name changed.
Proviso.

§ 2. The number of directors of said insurance company may be increased to thirteen. Directors—
increase of.

§ 3. The company may increase the capital to five hundred thousand dollars. Capital stock—
increase of.

§ 4. Nothing in this act or in the act of which this is an amendment shall be construed so as to permit said company to do a banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. Banking
prohibited.

§ 5. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Mutual Life Insurance Company of the State of Illinois. In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in [the] General Assembly*, That M. G. Atwood, Lewis Kellenberger, John Atwood, H. C. Moore, F. M. Hawes, Wm. G. Kase, P. H. Pope, Lewis Houck and G. F. Kimball, their associates and successors, in the corporation hereby created, shall be a body politic and corporate by the name of "The Mutual life Insurance Company of the State of Illinois," and by that name shall have perpetual succession, may sue and be sued, and shall have and enjoy all the rights, privileges and immunities that other like corporations have, and be recognized by the courts of this state, and shall have power to make and execute all such by-laws, rules and regulations, as the board of directors may deem proper and necessary to the good management of its affairs: *Provided*, they be not repugnant to the constitution and laws of the United States or of this state. Corporators.

Name.

Powers in law.

§ 2. The persons above named shall constitute the first board of directors, and shall hold office until the first Monday in May 1867, and until their successors shall have been First board of
directors.

- Election of directors.** elected as hereinafter provided. On the first Monday in May 1867, there shall be an election of three directors, and annually thereafter in the same order, and at such elections every person shall be entitled to one vote, either personally or by proxy, for every share of stock held by him, and the said three persons who shall receive the highest number of votes, shall be declared elected and shall hold office for the period of three years, and until their successors are elected. The board of directors shall have power to increase their number, at any time in their discretion, to any number not exceeding thirty-three, and in such case shall so arrange the manner of election, that one-third of the whole number shall retire, and their successors be elected annually.
- Capital stock.** § 3. The capital stock of this company, shall be one hundred thousand dollars, and may be increased in the discretion of the directors, to two hundred thousand dollars. The same shall be divided into shares of one hundred dollars each; transferable only on the books of the company, under such rules as the board of directors may establish.
- Organization.** § 4. Whenever the above named corporators and their associates shall have subscribed one hundred thousand dollars, and paid into the treasurer of said company not less than ten dollars on each and every share, [and] shall have secured the remaining ninety dollars on every share, by mortgages upon unincumbered real estate, worth double the amount secured, or by United States bonds, or Illinois state bonds, and the said board shall have duly organized themselves, by the election of a president, vice president, secretary and treasurer, with such other officers as they may choose, and shall have filed a certificate of the same, signed by their president, and attested by their secretary, in the office of the auditor of public accounts, of the state of Illinois, then the said company shall be deemed fully organized, and may enter upon and enjoy all the powers herein conferred.
- Business and operations.** § 5. The said company hereby created, shall have authority to make insurances upon the lives of individuals, and every insurance thereunto appertaining, to receive trusts, grant annuities and endowments, and purchase the same in such form and manner, and for such premiums and considerations as they shall direct: *Provided*, that no policy shall be issued by said company until application shall have been made for insurance to the amount of one hundred thousand dollars. The applicants to be not less in number, than twenty; and that in no case shall a policy be issued exceeding ten thousand dollars on a single life.
- Management.** § 6. The stock, property, business and interests of this company shall be conducted by the president, vice president, secretary, treasurer and board of directors, who may invest their capital and accumulations, in bonds and mortgages, on unincumbered real estate, within the state of Illinois, worth at least double the amount loaned thereon, or in

ocks of the United States, the state of Illinois, or in any interest paying stocks of any incorporated cities, of this state, and may collect, sell and transfer, such stocks and securities, and re-invest the proceeds thereof at their discretion.

§ 7. The real estate which it shall be lawful for the company to purchase, hold or convey, shall be such as may be deemed requisite for the transaction of its business, or such as shall have been mortgaged to it in good faith, by way of security for loans previously contracted, or for moneys due on such as shall have been purchased at sales upon judgments, decrees or mortgages, obtained or made for such debts.

§ 8. The persons named in the first section of this act, and their associates and successors, are hereby invested with all the powers and privileges, granted to "The Chicago Mutual Life Insurance Company," established by an act approved February 21, 1861, and may adopt and carry into effect, either or all of the several provisions of said act, at their discretion.

§ 9. If it shall so happen, that the election of directors of this company, shall not be held on the day named in the second section of this act, the company, for that cause, shall not be deemed dissolved, but it shall be lawful, to make and hold such election, on any other day, within one year from the date of the passage of this act, after giving due notice, in such manner as may be prescribed by the by-laws, of this company.

§ 10. This act shall be void, unless the directors organize the company at the city of Alton, in Madison county, on or before the first Monday in May, 1868, but the directors are authorized to establish and conduct the business of the company, at any place in this state.

§ 11. This act shall be deemed a public act, and shall be liberally construed, for the purposes herein mentioned, and be in force from and after its passage, and shall be subject to any general law that may hereafter be passed on the subject of insurance, or insurance companies. And nothing in this act shall authorize this company to do a banking business.

APPROVED March 7, 1867.

AN ACT to amend an act entitled "An act to incorporate the Southern Illinois Mutual Insurance Company," approved Feb. 13, 1863. In force March 7, 1867.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. That the corporation created by the act to which this an amendment, shall hereafter be known and

Name and style called by the name and style of "The Southwestern Insurance Company," and all the powers, rights, franchises, property and privileges, granted by the act to which this is an amendment, or which may have been acquired by the said "The Southern Illinois Mutual Insurance Company," are hereby declared to be vested in the persons who were shareholders in said "The Southern Illinois Mutual Insurance Company," on the first day of January, 1867, and their successors and assigns and associates; and all the powers, rights and privileges granted by section 13 of the act to which this is an amendment are hereby expressly declared to be vested in "The Southwestern Insurance Company," and wherever the word "mutual" occurs in the act to which this is an amendment the same is hereby stricken out.

Sec. 2 repealed. § 2. That section two of the act to which this is an amendment be and the same is hereby repealed, and in lieu thereof the following shall be the second section of said act, to-wit: All persons owning shares in the capital stock of said corporation shall be members thereof and shall be entitled to one vote for each share so owned.

Sec. 6 repealed. § 3. That section six of the act to which this is an amendment be and the same is hereby repealed, and in lieu thereof the following shall be the sixth section of said act, to-wit: The rates of insurance shall be fixed by the board of directors or executive committee of said company. The capital stock of said company shall be two hundred thousand dollars, and shall consist of stock notes and cash assessments; but the said company may at any time increase its capital stock to any amount not exceeding three million dollars, and may declare the cash premiums, or any portion thereof, to be part of the capital stock.

Sec. 7 amended. § 4. That section seven of the act to which this is an amendment shall be and is hereby amended by striking out of said section the word "premium" and inserting in lieu thereof the word "stock."

Sec. 8 amended. § 5. That section eight of the act to which this is an amendment shall be and the same is hereby amended by striking out of said section the following words, to-wit: "during the time for which their policies were issued to the amount of their premium notes and cash premium," and inserting in lieu thereof the following words, to-wit: "to the amount of their subscribed stock."

Sec. 9 repealed. § 6. That section nine of the act to which this is an amendment be and is hereby repealed, and in lieu thereof the following shall be the ninth section of said act, to-wit: "Whenever an assessment is made upon any stock notes given to said company, such assessment shall be due in thirty days thereafter, and if the stockholders executing the same shall fail to pay such assessment for sixty days after notice thereof (which notice shall be given in the

manner provided by by-law), the stock of such stockholder may be forfeited to the company by resolution of the board of directors; and in case of failure to pay such assessment, an action of debt may be maintained against said stockholder in the circuit court of the county where he may reside for the amount of such assessment, and the certificate of the secretary of said company that such assessment was made, the date the same was made, and the fact that thirty days' notice thereof had been given to such stockholder before the commencement of such action, together with the amount of such assessment, shall be *prima facie* evidence of the facts therein stated. But upon failure to pay such assessment for thirty days after notice thereof, the said company may at its option bring suit upon the stock note of such defaulting stockholder, against both principal and sureties thereon, and in such suit the certificate of the secretary of said company shall be *prima facie* evidence as aforesaid."

§ 7. That the eleventh section, to which this is an amendment, of said act, is hereby amended by striking out of said section the word "policy" and inserting therein the word "share."

Section 11
amended.

§ 8. The said "The Southwestern Insurance Company" shall have full power and authority to take risks and make insurance upon the life of any person for the benefit of such person, or for the benefit of any other person, and whenever they deem it advisable to do so, may establish a life insurance department of said company, to be regulated by by-laws made by said company for that purpose.

Authority and
powers.

§ 9. The said company, in addition to the powers already prescribed, may take risks upon ocean, gulf and lake navigation.

Marine risk.

§ 10. It shall not be obligatory upon said company to appoint an executive company.

Executive
company.

§ 11. Hereafter the regular election of directors for said company shall be held on the first Monday in the month of January, annually, and the board of directors last elected for "The Southern Illinois Mutual Insurance Company" shall hold and continue in office as directors of the company until the first Monday of January, 1868; but a different day for the election of directors may be fixed by by-law.

Election of
directors.

§ 12. The president and secretary of said company shall issue stock certificates in the name of "The Southwestern Insurance Company" in lieu of the stock certificates now outstanding, and the stockholders are required to execute stock notes in and of the same amount to and in lieu of the notes executed to the Southern Illinois Mutual Insurance Company, and on a failure to do so, their stock may be forfeited after forty days' notice of the intention of the directors so to do shall have been given.

Certificates,
notes, etc.

ers. § 13. That any and all mistakes, errors or omissions in the organization of "The Southern Illinois Mutual Insurance Company" are hereby declared to be cured, and all the powers granted by the act to which this is an amendment, and by this act are declared to be vested in this company.

Rights of action. § 14. All rights of action which have accrued to "The South Illinois Mutual Insurance Company" may be prosecuted by "The Southwestern Insurance Company," and suits may be brought and prosecuted to final judgment in the name of "The Southwestern Insurance Company" upon all notes payable to "The Southern Illinois Mutual Insurance Company."

§ 15. This act shall be a public act, and be in force from and after its passage.

Banking prohibited.

§ 16. Nothing in this act, or in the act to which this is an amendment, shall be construed so as to permit said company to do banking business or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies; and one hundred thousand dollars of the capital stock of said company shall be secured by mortgages upon unincumbered real estate worth double the amount secured, or by United States bonds, or Illinois state bonds.

APPROVED March 7, 1867.

In force March 7, 1867. AN ACT to incorporate the Bureau County Fire Insurance Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John H. Bryant, John Warfield, Rodérick B. Frary, Freeman C. Reed, Stephen G. Paddock Robert Hunter, Milo Kendall, William M. Shields and Benjamin S. Ferris, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of the "Bureau county Fire Insurance Company," and by such name may have perpetual succession; may sue and be sued, implead and impleaded; answer and be answered unto in all courts and places whatsoever, and to have and use a common seal, and to renew and alter the same at pleasure. Said company shall have power to purchase, hold, enjoy and convey all such real or personal property, as shall be necessary for the convenient transaction of the business and affairs of said company, and for the preservation and safe keeping of the books, papers and records of said company; and also to make all such by-laws, rules and regulations, not inconsistent with the constitution and laws

Name and style.
Corporate powers.

ent with the constitution and laws of the United States, or of this state, as shall be necessary for the proper management, regulation or control of the business or affairs of said company, and to amend or repeal the same.

§ 2. Said company shall have power to insure any and all persons, companies and corporations against loss or damage by fire, lightning or wind, to any dwelling house, store, shop or other buildings, household furniture, merchandise, or other property, whether personal or real, and against accidents of every description, both to persons or property, and against all risks by inland navigation and transportation of persons or property, including navigation or transportation upon any and all the rivers, canals and lakes within the United States of America, and the several provinces in north America belonging to the government of Great Britain, and also including transportation upon all railroads within the United States and said British Provinces, and to do all such acts and things appertaining to such business of insurance, as may be necessary for the proper transaction of the same.

Business and operations.

§ 3. The capital stock of said company shall not be less than one hundred thousand dollars, to be divided into shares of one hundred dollars each, to be paid in such installments as the directors, chosen under this act, may from time to time direct, and under such penalties as they in their discretion appoint and order. Said capital stock may be increased to any sum not exceeding five hundred thousand dollars, in the discretion of a majority of said directors, and said stock shall be personal property and be assignable and transferable only on the books of said company, and under such regulations as the directors may establish.

Capital stock.

§ 4. The persons above named are hereby appointed commissioners to receive subscription to the capital stock of said company, and shall as soon after the passage of this act as they or a majority of them shall deem advisable, open books to receive subscription to said capital stock, and whenever not less than one hundred thousand dollars of said stock shall have been subscribed, and not less than ten per cent. thereof actually paid in, and the balance secured by mortgages upon unincumbered real estate, worth double the amount secured, or by the United States bonds, or Illinois state bonds, to said commissioners, in good faith, in cash, said company shall be authorized to become organized under this act, and to elect a board of directors and to enter upon the transaction of said insurance business.

Subscription.

Organization.

§ 5. The board of directors shall be authorized to elect a president, vice-president, secretary, treasurer and general agent for said company, and such other officers as they may deem proper, and determine the term of office and mode of election of the same; to enact all by-laws, rules and regulations of said company, and to provide for the appointment

Election of officers.

Directors.

of all such committees, attorneys, agents and servants as to said board of directors shall seem proper. The first board of directors shall consist of nine members, all of whom shall be stockholders of said company, and the number of directors may thereafter be increased or diminished by said company, not however to be less than five, nor more than thirty-one, and no person shall be eligible to the office of director, who shall not at the time of his election, be the owner in good faith, in his own right of at least five shares of the capital stock of the company, and in all elections each share of said capital stock of said company shall be entitled to one vote.

Certificates of organization.

§ 6. Said company on becoming organized, and before transacting any insurance business under such organization, shall file a certificate of such organization, specifying the amount of capital stock subscribed, and the amount actually paid in, in cash, and the names of the first board of directors, and the term of office for which they were elected, which certificate shall be executed under the hands and seals of said directors, and acknowledged by them before some officer authorized to take the acknowledgment of deeds; and recorded in the office of the recorder, of the county of Bureau, and on recording said certificate, said company shall be deemed fully organized, and entitled to enter upon, and exercise and enjoy all the rights and franchises conferred by this act; and said company shall have power to charge and receive for insurance as provided in this act such premium or premiums, as shall be agreed upon, between the parties, either upon the stock or mutual plan, or both.

Additional installments—liabilities of stockholders—investment of capital stock.

§ 7. The board of directors shall have power from time to time, to require the payment of additional installments, of said capital stock, until the whole of said capital stock shall be paid in, and each stockholder shall be held liable for the debts of said company, for any and all losses and liabilities, to the amount of stock subscribed by him and no more; and the said directors may cause said capital stock to be invested in the bonds of the United States, or this state, or in the stocks of any national bank, organized under any law of congress, or in mortgages upon real estate; said land to be in all cases unincumbered, and worth at least fifty per cent. more than the amount secured thereon; and said company may under such rules as said directors may prescribe, make dividends to said stockholders, out of the net profits of the business of said company.

Principal office.

§ 8. The principal office of said company shall be located in the town of Princeton, in said county of Bureau, in this state, but the officers of said company may appoint such agents in other places as they may deem necessary.

Property, etc.

§ 9. Said company shall have power to receive, hold, sell and convey, all such property, personal or real, as shall be mortgaged, pledged, sold or conveyed to them, in security or payment of any indebtedness due in good faith to

said company, or in any manner in good faith owing to them, or conveyed to them under any sale, by virtue of any legal process, decree or order of any court, made for and upon such indebtedness.

§ 10. All policies of insurance issued by said company shall be signed by the president or vice president and secretary, and all such policies shall be valid and binding on said company. Policies signed by president.

§ 11. A statement of the true condition of the company, shall be made to the stockholders each year, under oath, by the officers thereof, at the time of the annual election of directors. Statements.

§ 12. Unless the said company shall be organized within twelve months after the passage of this act, then this act shall be null and void, and nothing herein contained shall be construed so as to permit said company to do banking business, or exempt said board from the operation of such general laws, as may be hereafter passed upon the subject of insurance companies. Time of organization limited.
Banking business prohibited

§ 13. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the *Ætna Insurance Company of Chicago.*

In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Hugh Maher, Charles Charleston, I. E. Wilson, O. L. Gerber, W. Moore, F. Lynch, W. H. Eddy, Daniel O'Hara, P. I. Nugent, and such other persons as may become stockholders in the corporation, hereby created, their successors and assigns, be and they are hereby created a body corporate and politic, under the name and style of the "*Ætna Insurance Company of Chicago,*" and by that name and style, shall have perpetual succession and may sue and be sued, plead and implead, answer and be answered unto, in all places, and be recognized in all courts of law and equity, or where judicial proceedings are had; may have and use a common seal, which they may alter at pleasure; and may purchase, hold and convey real estate and personal property, for the use of said corporation; and may make by-laws for the government of its affairs: *Provided,* that if the corporation created by this act shall not organize within one year after the passage thereof, then this act shall be null and void. Corporators.
Name and style
Corporate powers.
Proviso.

§ 2. That capital stock of said corporation, shall be two hundred thousand dollars, to be divided into shares of one Capital stock.

hundred each, and paid in such installments as the board of directors shall from time to time direct, except as hereinafter provided. The capital stock may be increased not to exceed six hundred thousand dollars, in the discretion of the board of directors. The stock shall be necessary on the books of said corporation. -

Stock
subscription.

Directors.

Calls for
subscriptions.

Business
powers.

§ 3. Books of subscription may be open at the discretion of a majority of the persons named in the first section hereof, and when the amount of capital stock as provided in the preceding section, shall have been subscribed the stockholders may proceed and elect directors, to comprise a board of directors, by whom the affairs of the corporation shall be managed; and when said directors shall have chosen out of their number a president and vice president, and shall have appointed a secretary, said board of directors may declare the company fully organized, and proceed to call on such an installment on the stock subscribed as they may deem necessary (not less than ten per cent. in cash) and for the balance of such subscription shall take bonds secured by mortgage on unincumbered real estate in the state of Illinois, worth double the amount secured, or by United States bonds or Illinois state bonds.

§ 4. That said corporation shall have power by instrument under seal or otherwise,

First, To make insurance or take risks, on all description of buildings and property against loss or damage by fire.

Secondly, To make insurance or take risk upon all descriptions of boats and vessels, the cargoes and freights thereof, and bottomry and respondentia interest against the perils of marine and inland navigation, thereby to cause themselves to be re-insured against any risk upon which they may have insurance, and to take such other risks or hazard as the corporation may from time to time determine.

Elections—
directors.

§ 5. The first board of directors shall hold their office until the second Monday in January next succeeding the organization of the company, and until their successors are elected. On the second Monday of January, in each year thereafter, or at such time as the by-laws may prescribe, an election of directors of said corporation, shall be held in the city of Chicago at such time and place as the existing board of directors may prescribe. The stockholders in said corporation, in person or by proxy, in writing, shall be entitled to one vote for each share of stock held by them, respectively, at the time of election, and the persons to the number of nine, being stockholders, receiving the highest number of votes at such election, shall be declared elected directors of said corporation for one year, and shall hold their office until the next annual election and until their successors are elected. A majority of the board shall constitute a quorum for the transaction of business.

Vote of
stockholders.

§ 6. The board of directors shall have power to fill any vacancy that may occur in their own body; a plurality of votes constituting a choice. They shall choose in the same manner, previous to the annual election of directors, three inspectors of such election, whose duty it shall be to canvass the votes cast thereat, and declare the result. The said inspectors shall be judges of the qualifications of voters. Notice of such election shall be given by publication in one or more daily newspapers, published in the city of Chicago, at least ten days previous thereto.

Vacancy.

Elections.

§ 7. The directors shall meet as soon as may be, after every election, and choose one of their number a president and vice president, who shall hold their office until the next annual election of directors, and until their successors are chosen. They shall also have power to appoint a secretary and such other officers or agents, as the corporation may determine.

Officers chosen.

§ 8. All policies of insurance, made by said corporation, shall be subscribed by the president or vice president, and countersigned by the secretary; and all losses accruing may be adjusted and settled by the president, vice president or secretary, under such regulations as the board of directors may from time to time prescribe.

Policies—losses

§ 9. The office of said corporation shall be at the city of Chicago; but agents may be appointed at other places, as may be deemed expedient.

Office.

§ 10. The board of directors shall from time to time, estimate the net earnings and profits that have accrued in the business of the corporation, and declare such a dividend thereof to the stockholders, as they may deem just and proper.

Dividends.

§ 11. By the consent, in writing of the stockholders, representing three-fourths of the amount of the capital stock, the insured may be allowed to participate in the net profits of the business of the corporation.

Profits.

§ 12. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void, and nothing in this act shall be construed so as to permit said company to do banking business or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

Time of organization limited.

Banking business prohibited

§ 13. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

§ 14. Said corporation shall have power to borrow money when deemed necessary in conducting its business; also to loan its surplus funds on good security, or invest the same under such regulations as the board of directors may prescribe.

Borrow money.

APPROVED March 7, 1867.

In force March 7, 1867. AN ACT to amend an act entitled "An act to incorporate the Mutual Security Insurance Company."

Insurance—
policies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly* That said Mutual Security Insurance Company shall have full power and authority to make marine, inland, and all other insurances, and to grant insurance policies of all kinds, covering every species of risk taken by insurance companies.

Participating
policies.

§ 2. Said company may issue participating policies, or such as will entitle the insured to participate in the net earnings of said company from insurance, as provided in its charter, or non-participating policies, as may be agreed between said company and its customers, and upon all policies upon which shall be written or printed "participating in net profits from insurance," and under which no losses shall occur; the holders shall participate in the manner pointed out in the original charter of said company. All other policies shall be issued, and all other insurances made upon the non-participating or ordinary principles adopted by stock companies.

Increase of the
capital stock.

§ 3. Said company may increase its capital from time to time to such amount as may, in the opinion of the majority of its directors, be expedient; and may have and elect such number of directors as the stockholders present at any annual meeting shall determine or direct. And out of their number, said directors may elect an executive committee, which committee shall have the general management of the business and affairs of said company, subject to the control of the board of directors.

Banking busi-
ness prohibited

§ 4. And nothing in this act, or in the act or which this is an amendment, shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 5. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force March 7, 1867.

AN ACT to incorporate the Illinois Life Insurance Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William English, James B. Cahill, George W. Hall, George Edmunds, jr., John Moffitt, Francis M. Corby, Bryant T. Scofield, Charles A. Savage, N. Bushnell, George J. Rod-

gers and Onias C. Skinner, and all others who shall be associated with them as stockholders in the corporation hereby created, shall be a body corporate by the name of the "Illinois Life Insurance Company," and by that name shall have perpetual succession, may sue and be sued, prosecute and defend in all courts and places; may have and use a common seal, which they may break and alter at pleasure; and may purchase, hold or convey any estate, real or personal, for the use of said company; and the board of directors shall have full power to make and execute by-laws, rules and regulations for the management of said company, so as to secure the well ordering of all its affairs: *Provided*, that they be not repugnant to the laws of the United States or of this state.

§ 2. The persons named in the first section of this act shall be the first board of directors, and shall hold their offices until the first Monday in January next, after the organization of the said company. Annual elections of the said company shall be held on the first Monday of January, at the office of the company, and if it shall so happen that an election be not held on the said first Monday of January, it shall be lawful for an election to be held on any other day by giving ten days' notice, by publication in a newspaper printed in the city of Quincy. Each stockholder shall be entitled to one vote for each share of the capital stock by him or them subscribed and paid, or secured to be paid, and stockholders may vote in person or by proxy. The board of directors may appoint three of their number to act as an executive committee, which committee shall have all the powers of the board when the board of directors are not in session; and the board of directors may fill any vacancies occurring in the board of directors or executive committee.

§ 3. The board of directors shall meet as soon as may be after every annual election, and choose from their number a president, vice president and treasurer. A secretary, general agent, and other officers, may be appointed by the board of directors or executive committee, upon such terms as may be agreed upon. The duties of officers and agents shall be prescribed by by-laws.

§ 4. The home office of the said company shall be in the city of Quincy, in the county of Adams and state of Illinois. The business of the said company may be carried on at any other place, by agency.

§ 5. All policies of insurance or renewals thereof, made by the said company, shall be signed by the president and countersigned by the secretary, or by persons authorized to act as such.

§ 6. The capital stock of the said company, shall not be less than one hundred thousand dollars, and may be increased from time to time, in the manner provided for by this act, or by the by-laws of the said company. The stock of

- the said company shall be transferable on the books of the said company, and not otherwise: *Provided*, that at least ten per cent. of the capital stock, shall at all times be paid in, in cash, and the balance be secured by mortgage on real estate worth double the amount secured thereby, or by United States or state bonds, at their market value.
- Proviso.** § 7. Books of subscription to the stock of the said company, may be opened, by direction of a majority of the parties named in this act, living at the time said company is organized.
- Subscription.**
- Business and operations.** § 8. The said company shall have power to make insurance upon the lives of individuals, and upon the lives of persons connected, by marital relations, to the persons applying for insurance; and also, upon the lives of persons in whom the applicant has a pecuniary interest as creditor, or otherwise; to receive trusts, grants, annuities and endowments, and purchase the same, in such manner and for such premiums and considerations as the board of directors or executive committee shall direct. The board of directors may collect and sell its securities, and re-invest the proceeds thereof, and may accumulate a contingent capital by receiving conditioned notes for insurance, at the time of insuring any person or persons; such notes to be paid in the way and manner provided for in the note or notes, and by the by-laws of the said company.
- Contracts of insurance.** § 9. Said company may issue such contracts of insurance, and receive therefor such premiums, as may be agreed upon. Premiums may be payable at one time, or in conditional installments. The capital stock of said company shall be divided into shares of one hundred dollars each, and each share shall be entitled to represent one vote at each annual election of directors.
- Premiums.**
- Stock shares.**
- Rules, etc.** § 10. The board of directors may determine the rates of insurance, and the limitations and conditions of validity in the policies, and the sum that may be insured on one life, not exceeding ten thousand dollars.
- Stockholders' liabilities.** § 11. That no stockholder of the corporation hereby created, shall be liable, in his individual capacity, for any debt or liability of said company, beyond the amount of stock held by him. And this act shall not be construed to authorize said company to engage in the banking business. This act shall be subject to any general law of this state, on the subject of insurance or insurance companies. This act shall be void, unless said company shall organize and proceed to business within two years after the passage hereof.
- Organization.**
- Construction of act.** § 12. This act is hereby declared to be a public act, and the same shall be construed liberally for the purposes herein specified, and shall take effect from and after its passage.

APPROVED March 7, 1867.

AN ACT to amend an act entitled "An act to incorporate the Rockford Insurance and Savings Company," approved Feb. 19, 1857. In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name and style of the corporation by said act authorized, shall be the "Rockford Insurance Company." Name and style

§ 2. That in addition to the powers granted by the afore-said act, the corporation organized under the same shall have power and authority to insure against loss or damage by lightning, and may cause itself to be re-insured upon the whole or any part of any risk upon which it may have made insurance. Additional authority to insure.

§ 3. That the board of directors of the corporation shall have power to fill any vacancy occurring in the board during any current year. Vacancies.

§ 4. Unless said company shall be organized within two years after the passage of this act, then this act shall be null and void, and nothing herein contained shall be construed so as to permit said company to do a banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. Organization.

§ 5. This act shall take effect and be in force from and after its passage, and this act and the act to which it is an amendment, shall be deemed and taken in all courts and places as a public act. Construction of act.

APPROVED February 23, 1867.

AN ACT to incorporate the Reaper City Insurance Company.

In force Feb'y 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Melancthon Starr, Thomas D. Robertson, Wait Talcott, Ralph Emerson, Moses Bartlett, and their successors, associates and assigns, are hereby incorporated and made a body corporate and politic, by the name, style and title of the "Reaper City Insurance Company," and by that name, style and title shall be, and are hereby empowered to sue and be sued, plead and be impleaded in all courts of justice; also, to have and use a common seal, and the same to change at pleasure; also, to ordain and execute all by-laws and regulations by them deemed necessary for the well ordering and governing said corporation, providing said by-laws and regulations are not repugnant to the constitution and laws of this state, or the constitution and laws of the United Name and style

Corporate powers.

States, and do all other things necessary in law to defend their corporate rights.

Capital stock.

§ 2. The capital stock of said company shall be one hundred and fifty thousand dollars, divided into shares of one hundred dollars each, and may, at the pleasure of said corporation, or of its board of directors, be increased to any further sum not exceeding five hundred thousand dollars, and shall be payable as follows, viz: One dollar on each share when the same is subscribed for, and nine dollars on each share within thirty days thereafter, the remainder of said stock shall be secured, to be paid, by mortgage on unincumbered real estate worth double the amount secured, U. S. bonds, Illinois state bonds, national bank currency, or other security, to be approved by the board of directors of said company, or such other securities as may be required by any general insurance law of the state, and shall be payable on twenty days' demand. The stock shall be deemed personal property, and transferable on the books of the company, and certificates shall be issued therefor: *Provided*, that no stockholder shall be permitted to transfer his stock while he is indebted to the corporation; and also, if at any time the directors shall consider any of the notes or securities given for balance of stock, as above specified, insecure, they shall have power to require payment, or additional security on the same, after due notice, under such penalties and forfeitures as they may provide in their by-laws.

Commissioners
—duties of.

§ 3. The persons named in the first section of this act are hereby appointed commissioners for procuring said capital stock of one hundred and fifty thousand dollars, and they, or a majority of them, shall at such times and places as they may deem expedient, open subscription books for such stock, and shall keep such books open from time to time until the whole amount of said stock is subscribed, and when said stock is all subscribed, shall give at least five days' public notice in one of the weekly papers published in the city of Rockford, of the time and place of the first election of directors.

Directors.

§ 4. There shall be, for the well ordering of the affairs of said corporation, a board of not less than five, nor more than thirteen directors, chosen annually from among and by the stockholders of such corporation, by ballot, on the second Tuesday in January, in each year, and said directors shall hold their offices, at pleasure, from one annual meeting to another, and until their successors are elected. Absent stockholders may vote by proxy, in writing. Each share shall have one vote at elections and on all questions coming before meetings of the stockholders.

Officers, etc.

§ 5. The said directors shall choose from among their members, a president and vice-president of said corporation, and in case any vacancy shall occur in said directors, said directors may elect a director, (or directors,) from among

the stockholders, to fill such vacancy, who shall hold office at pleasure, until others are chosen in their room; and said directors shall have power to appoint, for the time being, such officers, secretaries, agents and servants, as they shall judge necessary, and shall be capable of performing such other acts, and exercising such other powers, as shall be necessary for carrying out the objects of this charter.

§ 6. This corporation shall have power to make contracts of insurance on dwelling-houses, stores, and all kinds of buildings, and upon household furniture and other property, personal and mixed, of all descriptions, and upon books of accounts, leases and rents, against loss or damage by fire or lightning, or any other causes; and to make contracts of insurance upon vessels, boats, cargoes, goods, merchandise, freights and other property against loss or damage by all or any of the risks of lake, river, canal and inland navigation and transportation, for such term or terms of time, for such premium or consideration, and under such restrictions and conditions as may be agreed upon between the company and the persons or bodies corporate or politic, agreeing with them for such insurance, and to do and perform all necessary acts and things connected with these objects, or any of them, and may cause themselves to be re-insured on any risk or insurance which they may have assumed or taken in the progress of their business. All policies of insurance shall be subscribed by the president or vice-president, and countersigned by the secretary, and shall bind and oblige said corporation according to the terms and tenor thereof.

Powers and obligations.

§ 7. The board of directors of said corporation are authorized to invest its funds in United States stocks, or in stocks of any of the United States, mortgages on unincumbered real estate worth fifty per cent. more than the amount loaned thereon, in bonds and stocks of other incorporated companies, or in such other securities as they shall deem most for the interest of the corporation, and the said stocks or securities, at pleasure, to alien and convey.

Investment of funds

§ 8. The principal office of said company shall be located in the city of Rockford, but it may have agents, and transact business within or out of the state.

Principal office.

§ 9. It shall be lawful for said company to purchase, hold, and at pleasure, to dispose of, and convey, such real estate, as may be convenient for the transaction of its business, or such as it may purchase at any sale in virtue of any judgment at law or decree in equity, in favor of said company, and void while said notes are past due; and the said board of directors are hereby authorized to declare null and void, any policy, upon which the note given for premium, or any part of the same is due and unpaid.

Real estate, etc.

Policies.

§ 10. All additional subscriptions to the capital stock, beyond the first one hundred and fifty thousand dollars,

shall be made on such conditions as the board of directors may determine.

Treasurer.

§ 11. At each annual election of directors for said company, a treasurer, of said company shall be chosen for the term of one year by a majority of said directors, and such treasurer so chosen, shall be required to give security, by a good and sufficient bond, for the true and faithful performance of his duties as such treasurer; which bond shall be approved by a majority of said board of directors, and in case of the death, resignation or other removal from office, of such treasurer, the directors by a majority, may appoint a treasurer for the unexpired term, and who shall give bond, as is in this section hereinbefore provided.

Time for organization.

§ 12. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void, and nothing herein contained shall be construed, so as to permit said company to do banking business, or exempt said company from the operations of such general laws, as may hereafter be passed upon the subject of insurance companies.

Banking prohibited.

§ 13. This act shall be liberally construed, for the purposes therein contained, and shall be deemed a public act, and take effect from and after its passage.

APPROVED February 25, 1867.

In force Feb'y 25, 1867.

AN ACT to amend the charter of the Freeport Insurance Company.

Change of charter.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the name of said company may be changed to the "German Insurance Company of Freeport," by a two-thirds vote of the board of directors of said company, at any meeting called for that purpose.

Business, etc.

§ 2. For the better security of the policy holders, the directors of said company may secure United States stocks, Illinois state stocks, or mortgages on unincumbered real estate worth double the amount the face of the mortgages; such value to be certified by the clerk of the circuit court of the county, and by the supervisor of the town where such real estate is situated, to an amount not exceeding five hundred thousand dollars, to be divided into shares of one hundred dollars each. Such stocks or mortgages shall be entitled to representation in the election of directors in the ratio of one vote for every one hundred dollars; and such stock or mortgages shall be liable for the losses and expenses of the company, whenever the premiums paid or to be paid are not sufficient to pay said losses and expenses.

§ 3. This act and the act to which this is an amendment shall not be deemed to exempt said company from the operations of such general laws as may be hereafter enacted by the general assembly, on the subject of life insurance.

Subject to general insurance laws.

§ 4. This act shall be a public act, and shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to amend the charter of the American Insurance Company of Freeport, Illinois. In force Feb'y 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of directors of the American Insurance Company may, at any time they shall deem it for the best interests of the said company, remove the home office of the said company to the city of Chicago, in the state of Illinois. And all acts and things authorized to be done at the city of Freeport shall be lawful, if done at the city of Chicago. And all acts and things already done at the city of Freeport shall in nowise be affected by the removal of said company to the city of Chicago, in the state of Illinois. Notice of such removal shall be published in a daily newspaper printed in the city of Chicago, for at least one week before any removal of the home office of such company shall be made.

Removal of home office.

§ 2. The guaranteed capital or capital stock of said company may consist in United States stock, state stocks, stocks of other corporations, bonds, mortgages upon real estate, and indorsed promissory notes bearing seven per cent. interest. Said company may pass such by-laws, rules and regulations, not inconsistent with the laws, of this state or the United States, as may be necessary for subscription to guarantee or capital stock, for the payment of assessments upon the same, and for the payment of dividends of profits to stockholders: *Provided*, that no dividend of profits shall be declared, which shall impair the guarantees or stock capital, or interest be paid to exceed ten per cent. per annum of such guarantees or stock capital, when dividends of profits are not declared.

Capital stock.

§ 3. Said company may do a general life insurance business, and such other kinds of insurance as the board of directors shall deem expedient. The directors may invest and reinvest the surplus funds of said company: *Provided*, that nothing be so construed as to authorize the business of banking.

Business.

§ 4. The corporation now existing, by virtue of the original charter of said company, together with the several acts amendatory thereto, shall have perpetual succession.

Perpetual succession

[§ 5.] This act shall be deemed a public act, and shall be liberally construed for the purposes therein mentioned, and shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

In force February 25, 1867. AN ACT to incorporate the American Standard Life Insurance Company of Springfield, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John Williams, Frank W. Tracy, Jacob Bunn, James H. Beveridge, Jesse K. Dubois, Ozias M. Hatch, Asa Eastman, Newton Bateman, Milton Hay, James D. B. Salter, John S. Bradford, Samuel H. Melvin, Ellis Worthington, Jeremiah D. Low, C. Moulton Smith, Benjamin M. Griffith, William M. Springer, Edward F. Leonard, John W. Bunn, Levin W. Shephard, Albert H. Lanphear, William F. Fox, P. Wilde Harts, Cyrus G. French, William P. Crafton, Calvin H. Flower, George M. Brinkerhoff and Richmond Wolcott, and the persons who may be assured under the provisions of this act, and their associates, successors, and assigns, be and they hereby are constituted a corporation, by the name of "The American Standard Life Insurance Company," to be located at Springfield, Illinois, for the purpose of making insurance on lives, in all its branches, including the granting and purchase of annuities, with all the powers and privileges, and subject to all the restrictions hereinafter provided.

§ 2. All the corporate powers of this company shall be vested in, and exercised by a board of directors, which shall consist of twenty-eight members, fifteen of whom shall constitute a quorum.

§ 3. The persons whose names appear in the first section of this act, shall constitute the first board of directors, and shall hold their office for the term of three years from the date at which this charter shall commence, under this act, or until their successors shall be chosen.

§ 4. At the expiration of the term of office of the first board of directors, their successors shall hold their office for the term of one year, and be chosen annually, as follows: An election shall be held on the second Wednesday of January, A. D. 1870, and annually thereafter; at which election fourteen directors shall be chosen by the stockholders, and fourteen by the policy-holders, members of this company, who shall hold their office for one year from the expiration of the term of their predecessors.

§ 5. Each stockholder and each policy-holder, holding a policy for an amount not less than one thousand dollars, shall be entitled to cast one vote at any election of directors. Vote of stock-holders.
Voting by proxy

§ 6. Any stockholder or policy-holder, who may not be present to vote personally at any election, may cast his vote by proxy, in such manner as the directors may have provided.

§ 7. Each board of directors shall, at its first regular meeting, choose from their own number a president, vice president, and secretary, whose duties shall be prescribed by the by-laws of the company. Officers.

§ 8. In case of a vacancy in any office or in the board of directors of the company, caused by death, resignation, or removal from the state, the board shall have power to fill such vacancy. Vacancies.

§ 9. The said corporation, by their president, shall have power to bring or defend all suits at law or in equity, in the name and in behalf of said company, which may be instituted by or against the same. Suits.

§ 10. It shall be lawful for this company to buy, sell, lease, or otherwise hold, such real estate as they may deem expedient, not exceeding fifty thousand dollars in value. Real estate.

§ 11. There shall be an original guarantee capital stock subscribed to this company, of not less than one hundred thousand dollars, which shall be transferable in such manner as the board of directors shall by by-law determine, which may be increased, at the discretion of the board of directors, to be not more than one million dollars. Said capital stock shall be divided into shares of one thousand dollars each; ten per cent. of which shall be paid in in cash, and the remaining ninety per cent. secured, as hereinafter provided, before the said corporation shall go into operation for the purpose of insuring—the remaining ninety per cent. of said capital stock to be secured to said company in the same manner as other investments, as hereinafter provided; which unpaid capital stock may be called for by the board of directors, from time to time, whenever they may deem it necessary, and which shall be paid in by the stockholders as demanded. Guarantee capital stock.

§ 12. The board of directors shall invest the paid-in capital stock and premium accumulation of said company in the following manner, except so much of the same as may be necessary to defray the current expenses of said company: Investment of capital stock.

First—In bonds and mortgages, which shall be first mortgage liens upon real estate where the sum invested shall not exceed one-half of the cash value of the property mortgaged, exclusive of perishable improvements.

Second—In government bonds or United States securities, at their market value.

Third—In state bonds of any of the states, at their market value.

Fourth—In county or city bonds, bearing at least seven per cent. interest, the market value of which shall be par.

Insurance rates. § 13. The directors may determine the rates of insurance and the sum to be assured in any one risk, and make all such by-laws and regulations as may be necessary in the management of the affairs of this company.

Dividends. § 14. Whenever the net receipts of the company, over the losses and expenses, and after providing for risks, as may be required by law, shall be sufficient for the purpose, the stockholders shall be entitled to an annual dividend on stock, of seven per cent., to be paid out of the funds of the company; and in case such dividend shall not be made in any one year, it shall be made good at a subsequent period, when the net resources of the company shall be sufficient for paying the same.

Reserved fund. § 15. After providing for risks, losses, incidental expenses, and dividends on stock, as aforesaid, the directors shall set apart one-quarter of the estimated surplus funds as a reserved fund, to be applied to the credit of the guarantee stock, until the same shall be fully paid up by such credits; after which the stockholders shall only be entitled to the annual dividend on their stock, as hereinbefore provided.

Credits. § 16. Whenever the guarantee stock shall receive a credit, as provided in the fifteenth section of this act, the security pledged for the payment of said stock shall receive a like credit; and whenever the said guarantee stock shall have been fully paid up by such credits, as aforesaid, the security of stock shall be released.

Purchase of stock. § 17. It shall be lawful for this company to buy in the original guarantee capital stock, or any part of the same, whenever the board of directors shall so determine.

Directors. § 18. Whenever the guarantee capital stock shall have been entirely bought in, as hereinbefore provided, the policyholders shall elect the board of directors.

Division of dividends. § 19. Dividends arising out of the surplus funds of the company, after making full provisions for all liabilities, shall be divided equitably among the policy-holders, at such times and in such manner as the board of directors may direct.

Charter perpetual. § 20. The charter granted by the provisions of this act shall be perpetual, and shall be in force from and after the first day of March, A. D. 1867: *Provided*, an organization be effected under the same within two years from the date of its commencement.

Banking prohibited. § 21. Nothing herein contained shall be so construed as to permit said company to do a banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of life insurance companies.

§ 22. This act shall take effect from and after its passage.
APPROVED February 25, 1867.

AN ACT to incorporate the National Insurance Company.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles Holland, Ira Y. Munro, Homer E. Sargent, Wirt Dexter, Matthew Laffin, George M. Kimbark, C. G. Wicker, their associates and successors, be and are hereby constituted a body corporate, by the name and style of "The National Insurance Company," and, as such company, may sue and be sued in any court of competent jurisdiction. Name.

§ 2. The capital stock of said company shall be one hundred thousand dollars, which shall be all paid up in cash and invested in United States bonds or the bonds of this state; and the said capital may be increased by a vote of a majority of the stock represented at any regular or special meeting of the stockholders, to be paid in and invested as the directors shall provide. Capital stock.

§ 3. The company may purchase and hold such real estate as is required or deemed necessary in carrying on its business. Real estate.

§ 4. The business of the company shall be effecting insurance upon property against any and all perils of fire and inland navigation. Business.

§ 5. There shall be an annual meeting of the stockholders of the company at its office, in Chicago, on the second Tuesday in January of each year; at which time seven directors shall be elected, to serve for one year, or till their successors be chosen, who shall constitute the board of directors. Meetings.

§ 6. The directors shall elect, each year, a president, vice president, and secretary, and also a finance committee of three, to serve one year, or till their successors be elected; and in case a vacancy occurs in the officers or board of directors, the directors may fill such vacancy at any time. Officers.

§ 7. A majority of stock represented, by ownership or proxy, shall constitute a quorum at any stockholders' meeting, and a majority of the directors, at any meeting of the board of directors, shall constitute a quorum of the board, to transact business. Quorum.

§ 8. Any business transacted by the directors, or the officers appointed by them, shall be binding upon the stockholders. The directors may make and put in execution any by-laws, not inconsistent with the laws of this state or of the United States. By-laws.

§ 9. The company shall be organized, and books opened for subscription of capital stock, within two years from the passage of this act. Organization.

§ 10. Unless the said company shall be organized within two years from the passage of this act, then this act shall be null and void; and nothing herein contained shall be Banking prohibited.

construed so as to permit said company to do banking business or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 11. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED February 25, 1867.

In force Feb'y 25, 1867. AN ACT of incorporation of the Empire Mutual Life Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Chauncy T. Bowen, J. Russell Jones, Philip A. Hoyne, John C. Tracy, George M. Kimbark, Frederick H. May, Wm. F. Brewster, George S. Williams, C. N. Shipman, Edward W. Porter, Talcott Ormsbee, and all other persons who may hereafter associate with them, shall be and are hereby declared a body politic and corporate, by the name of "The Empire Mutual Life Insurance Company," and by that name may contract and be contracted with, sue and be sued, defend and be defended against in any and all courts, and shall have perpetual succession.

§ 2. The corporation hereby created shall have the power to insure lives, on the stock or mutual plan, and to make all and every insurance appertaining to or connected with life risks, the granting of endowments, and to grant and purchase annuities; and all persons who shall insure with this corporation, and also their heirs, executors, administrators and assigns, continuing to be insured in said corporation, shall thereby become members thereof.

§ 3. The Empire Mutual Life Insurance Company shall have a common seal; and shall have power to make re-insurance of any risk which they may take; and may make all such by-laws, not inconsistent with the constitution and laws of this state, as may be deemed necessary for the appointment of its officers and agents, and the conduct of its affairs, in the various cities and towns of this state and of sister states and foreign governments, as the said corporation may deem most for its interest.

§ 4. This corporation shall be deemed a Mutual Life Insurance Company, but may adopt either the stock or mutual plan. All profits of the business done on the stock plan shall be the property of the stockholders, and shall be kept in a separate department.

§ 5. Every person who shall become a member of this corporation, by effecting insurance therein, shall, before he receives his policy, pay the rates that shall be fixed upon

and determined; and no premium so paid shall ever be withdrawn from said company, except as hereinafter provided, but shall be liable for all the losses and expense incurred by this company.

§ 6. There shall be a president, a vice-president, a secretary and a treasurer, all of whom shall be elected for the term of three years, by the stockholders. Officers.

§ 7. Geo. M. Kimbark, Fred. H. May, Chauncy T. Bowen and Wm. F. Brewster, shall be and are hereby authorized to act as commissioners in securing subscriptions to the capital stock, and may open books for that purpose at such times and places as may be deemed by them necessary, and may call meetings of stockholders, when necessary, to perfect the organization of the corporation. Commissioners
—subscriptions

§ 8. All the corporate powers of the said company shall be exercised by a board of trustees and such officers and agents as they may appoint, all of whom must be members or stockholders. Trustees.

§ 9. The board of trustees shall consist of eleven persons, and those named in this act shall constitute said board, who shall be a quorum for the transaction of business, and who shall be such quorum until otherwise provided by by-laws, and may, from time to time, make due provisions in said by-laws for increasing the number of trustees, as may be deemed proper in the extension of the business of the said corporation.

§ 10. The officers and executive committee shall determine the rates of insurance and the sums to be insured, and shall invest the premiums as hereinafter prescribed. Insurance rates

§ 11. All policies issued by this corporation may grant a general permit for travel to all civilized parts of the United States, or healthy parts of the United States, or healthy portions of the globe, free from extra charge. Travel permits.

§ 12. The central office or chief department shall be located by the stockholders, after the whole amount of the capital stock shall have been subscribed. Central office.

§ 13. This corporation may comply with all lawful requirements of such sister states as may be deemed proper by the officers and executive committee of said corporation; and it shall be lawful for them to establish a principal agency department in each of the said states, and shall appoint a manager of the business in said state, who, together with a local board of medical examiners, of not less than two practicing physicians, shall have power to accept or reject all risks offered for insurance in said state. Agencies, etc.—
medical examiners.

§ 14. For the purpose of affording security to policy holders, and to enable the corporation to fully carry the objects in view into active and successful operation in sister states, there may be a stock capital subscribed to the amount of two hundred and fifty thousand dollars, which shall be divided into two hundred and fifty shares of one thousand Stock capital—
shares, etc.

dollars each; and at least one hundred and fifty thousand dollars of said capital, so subscribed, shall be paid in cash or secured by first mortgage on improved productive property, worth double the amount insured, located in any state where said corporation may have established an agency department.

Guarantee fund § 15. The said capital of one hundred and fifty thousand dollars shall be deemed a guarantee fund, and may be loaned or invested, so as to secure to the stockholders a rate of interest of at least seven per centum per annum; but in no case shall the premiums, or any portion thereof, which have been paid by persons seeking insurance on the mutual plan, be used in payment of the interest on said guaranteed capital.

Investment of funds. § 16. It shall be lawful for the said corporation to invest the premiums received in the securities designated in the two following sections, and to sell, transfer and change the same, and re-invest the funds of said corporation, whenever the trustees shall deem expedient.

Premiums. § 17. The whole of the premiums received for insurance by said corporation, except as provided for in the following section, may be invested in bonds secured by mortgages on unincumbered real estate. The real estate or property, to secure such investment of capital, shall, in every case, be worth twice the amount loaned thereon. The real estate which it shall be lawful for this corporation to purchase, hold, possess and convey, shall be:

First.—Such as shall be requisite for its immediate accommodation in the convenient transaction of business.

Second.—Such as shall have been mortgaged to it, in good faith, by way of security for loans previously contracted, or for money due.

Third.—Such as shall have been conveyed to it, in satisfaction of debts previously contracted, in the course of its dealings.

Fourth.—Such as shall have been purchased at sales upon judgments, decrees or mortgages, obtained or made by such debts.

Investment of premiums. § 18. The trustees shall have power to invest a certain portion of the premiums received, not to exceed two-thirds thereof, in public stocks of the United States, or of any state, or of any incorporated city.

Suits. § 19. Suits at law may be maintained by said corporation against any of its members, for any cause relating to the business of said corporation. Suits at law may also be prosecuted and maintained by any member against said corporation for loss, by death, if payment is withheld more than three months after the company is duly notified of such losses; and no member of the corporation shall be debarred his testimony as a witness in any such cause, on account of interest in such suit, or of his being a member of said company; and no member of the corporation, not being in

his individual capacity a party to such suit, shall be incompetent as a witness in any such suit on account of his being a member of said company.

§ 20. The officers of said company, at the expiration of every year, from the time that the first policy shall have been issued and bear date, or within sixty days thereafter, and during the first sixty days of every subsequent period of one year, shall cause a balance to be struck of the affairs of the company, and shall credit each mutual member with an equitable share of the profits of said company; and, in case of the death of the party whose life is insured, the amount standing to his credit at the last preceding striking of balance, as aforesaid, shall be paid over to the person entitled to receive the same, or, in lieu thereof, an annuity may be paid, in the discretion of the executive committee. Balance.

§ 21. No members, except officers of the company and agents thereof, shall be personally liable for the losses of the company; and such officers and agents, severally, shall be liable, but only for the losses arising by reason of their own respective neglect or misconduct. Liabilities.

§ 22. On some day in the first thirty days after the expiration of the first three years, from the time when the said company shall issue its first policy, and within the first thirty days of every subsequent three years, the officers of said company shall cause to be made a general balance statement of the affairs of said company, which shall be entered in a book prepared for that purpose, which shall be subject to the examination of every member and stockholder of the company, during the usual hours of business, for the term of thirty days thereafter. Such statement shall contain: Statements.

First.—The amount of premiums received during the said period.

Second.—The amount of expenses of said company during the same period.

Third.—The amount of losses incurred during said period.

Fourth.—The balance remaining with said company.

Fifth.—The nature of the security on which the same is invested or loaned, and the amount of cash on hand.

§ 23. It shall be lawful for any married woman, by herself and in her name, or in the name of any third person, with his assent, as her trustee, to cause to be insured, for her sole use, the life of her husband, for any definite period, or for the term of his natural life; and in case of her surviving her husband, the sum, or net amount of the insurance becoming due and payable by the terms of the insurance, shall be payable to her, to and for her own use, free from the claims of the representatives of her husband or his creditors; but such exemption shall not apply where the amount of premium annually paid shall exceed five hundred dollars. In case of the death of the wife, before Who may insure

the decease of the husband, the amount of the insurance may be made payable, after death, to her children, for their use, or to their guardians, if under age.

Forfeiture.

§ 24. No policy of insurance issued by this company shall be forfeited or become void by the non-payment of premium thereon, any further than regards the right of the party insured therein to have it continued in force beyond a certain period, to be determined as follows, to-wit: The net value of the policy, when the premium becomes due and is not paid, shall be ascertained according to the "combined experience" or "actuary's" rate of mortality, with interest at four per centum per annum, after deducting from such net value any indebtedness to the company on notes held by the company against the insured; which notes, if given for premiums, shall then be canceled; four-fifths of what remains shall be considered a net single premium of temporary insurance, and the term for which it will insure shall be determined according to the age of the party at the time of the lapse of premium, and the assumption of mortality and interest aforesaid. If the death of the party occur within the term of temporary insurance covered by the value of the policy, as determined in this section, and if no condition of the insurance other than the payment of premium shall have been violated by the insured, the company shall be bound to pay the amount of the policy the same as if there had been no lapse of premium, anything in the policy to the contrary notwithstanding: *Provided, however,* that notice of the claim and proof of the death shall be submitted to the company within ninety days after the decease: *Provided, also,* that the company shall have the right to deduct from the amount insured in the policy the amount of seven per cent. per annum of the premiums that had been forborne at the time of the death.

Retiring stock.

§ 25. At the expiration of the first ten years of the company's existence, it shall be optional with the stockholders, as to the retiring of said capital stock, provided the mutual department shall be possessed of a sum in cash equal to said capital stock, over and above the necessary surplus or reserve fund required for re-insurance.

Organization.

§ 26. Unless said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing herein contained shall be construed so as to permit said company to do a banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 27. This act shall be deemed a public act, and shall take effect from and after its passage.

APPROVED, February 25, 1867.

AN ACT to incorporate the Kankakee Insurance Company.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James McGrew, John H. Smith, John Dale, Emery Cobb and James N. Orr, and their associates, successors, and assigns, be and hereby are created a body corporate and politic, under the name and style of "The Kankakee Insurance Company;" and by such name may have perpetual succession; may sue and be sued, implead and be impleaded, answer and be answered unto in all courts and places whatsoever; and to have and use a common seal, and to renew and alter the same at pleasure. Said company shall have power to purchase, hold, enjoy and convey all such real or personal property as shall be necessary for the convenient transaction of the business and affairs of said company, and for the preservation and safe keeping of books, papers and records of said company; and also to make all such by-laws, rules and regulations, not inconsistent with the constitution and laws of the United States or of this state, as shall be necessary for the proper management, regulation or control of the business or affairs of said company, and amend or repeal the same.

Name and style

Corporate
powers.

§ 2. Said company shall have power to insure any and all persons, companies and corporations, against loss or damage by fire, lightning, or wind, to any dwelling house, store, shop, or other building, household furniture, merchandise, or other property, whether personal or real, and against accidents of every description, both to persons or property, and against all risks by inland navigation and transportation, of persons and property, including navigation and transportation upon any and all the rivers, canals and lakes within the United States of America and the several provinces of North America belonging to the government of Great Britain, and also including transportation upon all railroads within the United States and said British Provinces, and do all such acts and things appertaining to such business of insurance, as may be necessary for the proper transaction of the same.

Insurance.

§ 3. The capital stock of said company shall not be less than one hundred thousand dollars, and may be increased to any sum, not exceeding five hundred thousand dollars, to be divided into shares of one hundred dollars each; and said stock shall be personal property, and be assignable and transferable only on the books of said company, and under such regulations as the directors may establish.

Capital stock.

§ 4. The persons above named are hereby appointed commissioners to receive subscriptions to the capital stock of said company, and shall, as soon after the passage of this act as they or a majority of them shall deem advisable, open books to receive subscriptions to said capital stock; and

Commissioners
—duties of.

whenever not less than one hundred thousand dollars of said capital stock shall have been subscribed, and not less than ten per cent. thereof actually paid in to said commissioners, in good faith, in cash, said company shall be authorized to become organized under this act, and to elect a board of directors, and to enter upon the transaction of said insurance business.

Officers.

§ 5. The board of directors shall be authorized to elect a president, vice president, secretary, treasurer, and general agent for said company, and such other officers as they may deem proper, and determine the term of office and mode of election of the same; to enact all by-laws, rules and regulations of said company; and to provide for the appointment of all such committees, attorneys, agents, and servants, as to said board of directors shall seem proper. The first board of directors shall consist of nine members; all of whom shall be stockholders of said company; and the number of directors may, thereafter, be increased or diminished by said company, (not, however, to be less than five, nor more than thirty-one); and no person shall be eligible to the office of director who shall not at the time of his election be the owner, in good faith, in his own right, of at least five shares of the capital stock of the company; and, in all elections, each share of said capital stock of said company shall be entitled to one vote.

Certificate of
organization.

§ 6. Said company, on becoming organized, and before transacting any insurance business under such organization, shall file a certificate of such organization, specifying the amount of capital stock subscribed and the amount actually paid in in cash, and the names of the first board of directors, and the term of office for which they were elected; which certificate shall be executed under the hands and seals of said directors and acknowledged by them before some officer authorized to take the acknowledgments of deeds, and recorded in the office of the clerk of the circuit court of the county of Kankakee; and on recording said certificate, said company shall be deemed fully organized, and entitled to enter upon and exercise and enjoy all the rights and franchises conferred by this act. And said company shall have power to charge and receive for insurance, as provided in this act, such premium or premiums as shall be agreed upon between the parties, either upon the stock or mutual plan, or both.

Organization.

Installments.

§ 7. The board of directors shall have power, from time to time, require the payment of additional installments of said capital stock, until the whole of said capital stock shall be paid in; and each stockholder shall be held liable for the debts of said company for any and all the losses and liabilities, to the amount of stock subscribed by him, and no more; and the said directors may cause said capital stock to be invested in the bonds of the United States, or this

state, or in mortgages upon real estate—said land in all cases, to be unincumbered, and to be worth at least one hundred per cent. more than the amount secured thereon. And said company may, under such rules as said directors may prescribe, make dividends to said stockholders out of the net profits of the business of said company.

§ 8. The principal office of said company shall be located in the city of Kankakee, in said county of Kankakee; but the officers of said company may appoint such agents in other places as they may deem necessary. Principal office.

§ 9. Said company shall have power to receive, hold, sell, and convey all such property, personal or real, as shall be mortgaged, pledged, sold or conveyed to them, in security or payment of any indebtedness due in good faith to said company, or in any manner in good faith owing to them, or conveyed to them under any sale by virtue of any legal process, decree, or order of any court, made for and upon any such indebtedness.

§ 10. All policies of insurance issued by said company shall be signed by the president or vice president and secretary; and all such policies shall be valid and binding on said company. Policies signed.

§ 11. A statement of the true condition of the company shall be made to the stockholders each year [by] the officers thereof, under oath, at the time of the annual election of directors. Statements.

§ 12. Unless the said company shall be organized within twelve months after the passage of this act, then this act shall be null and void. And nothing herein contained shall be construed so as to permit said company to do banking business, or exempt said company from the operations of such general laws as may hereafter [be passed on the subject of insurance companies.] Subject to general laws.

APPROVED February 25, 1867.

AN ACT to incorporate the Palatine Mutual Guarantee Insurance Association.

In force Feb'y 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That, from and after the time this act shall take effect, S. H. McCrea, G. VanValkenberg, M. S. Johnson, D. Jenks, J. H. Pahlman, H. C. Batterman, S. Barber, H. Schirding, and S. P. Brown, of the town of Palatine, county of Cook, Illinois, and all persons associated with them, or who may hereafter associate with them, in the manner hereinafter prescribed, and all their successors in office, shall be a body Corporators.

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| Name and style. | politic and corporate, by the name and style of "The Palatine Mutual Guarantee Insurance Association," and by that name may sue and be sued, appear, prosecute and defend, in any court of record; may have and use a common seal, alter and renew the same at pleasure; may make and establish such by-laws, ordinances and resolutions, not being contrary to the laws of this state or of the United States, as may seem necessary for their regulation and government, and for the management of their affairs; and they may do and execute such acts and things as may be necessary to carry into effect the purposes of this act. |
| Powers. | |
| Privileges, etc. of members. | § 2. All persons who shall at any time be insured in this association, shall be members thereof, and, as such, shall equally be entitled to vote and hold any office within the gift of said association, so long as they shall remain members, by being insured therein; and they shall, at all times, be bound by the provisions of this act and all the regulations and by-laws of said association. The affairs of said association shall be managed by the president, vice president, secretary, treasurer, and five auditors, who shall constitute a board of directors—said officers to be elected annually, by ballot, from among the members of the association, and shall remain in office until their successors are chosen, and a majority of such board shall constitute a quorum for the transaction of business. |
| Officers. | |
| Election of directors. | § 3.] The directors of said association shall be elected on the first Monday in March, at such hour and place as the association shall prescribe in their by-laws. |
| Notice of election. | § 4.] Such election shall be held under the inspection of three members, not candidates for office, appointed previous to each election, by the members present; but, in case of no election on the above named day, then it shall be lawful to hold such election any Monday, by giving at least ten days' notice by posting notices in at least four of the most public places in town. |
| Rules, etc. | § 5. The board of directors shall have power to make all necessary rules and regulations for the transaction of business of the association, during their term of office. They shall meet at the office of the secretary, at such times as the interest of the association, in their judgment, may require; and they shall meet at any time on the call of the president, secretary and seven other members of the association, one day's notice being given them. They shall have power to prescribe forms for surveys and policies, and to regulate the rates of insurance, with the approval of the association, in special or general meetings. |
| Meeting of board. | |
| Property insured. | § 6. Said association may make insurance on all kinds of property against loss or damage by fire, lightning, wind, and horse thieves. |
| Membership—requirements. | § 7. Any person owning property in this town may become a member of said association, and be insured therein, |

on their executing to the association their application and premium note for the amount fixed by the association on their policy, for the purpose of equalizing assessments for the payment of losses and expenses; and the insured shall be bound to pay all such sums as may be assessed on the amount of such premium note, by the directors, for the payment of any loss or losses sustained by any member of the association, as prescribed for by this act.

§ 8. The directors of said association, may levy such assessments, at any time, upon the premium notes; as shall become necessary for the payment of losses and expenses. Assessments.

§ 9. Any member of this association who shall refuse or neglect to pay the amount of assessment claimed, for more than thirty days after notice of such assessment—notice to be given in the manner prescribed by the by laws of the association—then his, her or their policy shall be null and void until such payment is made; and the association shall be entitled to sue and recover, in any court of justice in Cook county, the amount of such assessment and expenses; and the certificate of the secretary of said association, stating the amount of such assessment, together with the application and premium note of the insured, shall be *prima facie* evidence, and conclusive in all courts and places whatsoever. Refusal to pay.

§ 10. This association shall have power to issue policies for any term of time not exceeding five years.

§ 11. The board of directors shall be bound to make out assessments, collect and pay over the same to the suffering member, for whose benefit such assessment shall have been made, and report, quarterly or annually, as prescribed by the by-laws. Collection and payment of assessments.

§ 12. Any member of said association suffering loss or damage on any of his, her, or their property, shall not be entitled to recover to the valuation, as placed in his, her, or their application, but as valued by appraisers appointed according to the tenor of their policy, as follows: one by the board of directors, one by the party suffering loss or damage, and one by the first two chosen; but their decision shall be subject to an appeal to the association, as regulated by the by laws or the circuit court of Cook county. Losses.

§ 13. Whenever applications to the amount of ten thousand dollars shall have been made, the company may proceed to organize; and if such organization be not effected within one year from the passage hereof, then this act shall be null and void. Organization.

§ 14. The said association shall insure no property outside of the limits of said town; nor shall any persons hold any office in said association who is not at the same time a resident of the town. Location of property insured.

§ 15. Unless said company shall be organized within two years after the passage of this act, then this act shall Subject to general insurance laws, etc.

be null and void. And nothing herein contained shall be construed so as to permit said company to do a banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 16. This act shall be deemed a public act, and shall be liberally construed for the purposes therein mentioned, and shall be in force from and after its passage.

APPROVED February 25, 1867.

In force Feb'y 25, 1867. AN ACT to amend an act entitled "An act to incorporate the Mutual Life Insurance Company, of Chicago," approved February 16th, 1863.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the first section of the said act, to which this act is an amendment, be and the same is hereby so amended that the name "North-Western Mutual Life Insurance Company" be and the same is hereby changed to "The Mutual Life Insurance Company, of Chicago."

Capital stock. § 2. That the said Mutual Life Insurance Company, of Chicago, is hereby authorized and empowered to raise and have a capital stock, not exceeding two hundred thousand dollars; which shall be subject to the same liabilities as other assets of the said company, and shall be a guarantee fund for the payment of all losses on policies, both in its stock and mutual departments.

Division of business. § 3. The said company may divide its business into two departments, to be designated as "Stock Department" and "Mutual Department," respectively; and may transact business either upon the mutual or joint stock principle, or both; and, when so divided, each department shall be kept separate and distinct from the other; and all profits of the stock department shall accrue to the benefit of its stock, and all profits of the mutual department shall go to the benefit of that department, except as hereinafter provided.

Subscription to stock. § 4. The executive committee of said company are hereby authorized to open, at the office of the company, in Chicago, and at such other places as they may determine, books of subscription to the said capital stock; which stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property, transferable only on the books of the said company.

Subscription—amount of. § 5. The said books of subscription shall remain open until the sum of one hundred thousand dollars shall have been subscribed, and at least ten per cent. thereon paid in in cash, and the remaining ninety per cent. secured by

United States bonds, or other bonds, at their market value, or by mortgage on real estate of at least double the value of the amount secured; at which time the said company shall be authorized to commence business on the stock plan and issue policies based on such capital. And the said guarantee capital stock shall be entitled to receive from the said mutual department, as compensation for the guarantee thus afforded, seven and three-tenths (7 3-10) per centum per annum, payable semi-annually, on the amount of the same.

Organization
and business.

§ 6. The said company shall have the right, at any time after the lapse of five years from the date of the approval of this act, to purchase and retire all or any portion of the said capital stock.

Retiring, capi-
tal stock, etc.

§ 7. The said executive committee may make such by-laws, rules, and regulations, in regard to the terms of issuing stock policies, and the notice, time or manner of making or collecting subscriptions to said capital stock, as they shall deem expedient; and shall have power to sue for and recover any such subscriptions or installments thereof.

B-laws etc.

§ 8. At the first annual election of the board of trustees, after said company shall have obtained subscriptions to its capital stock to an amount authorizing it to commence business on the stock plan, and at each succeeding annual election, at least one-half of the members of said board shall be chosen from the stockholders; and the members of said board shall all be either holders of stock or mutual policies in said company, and in ceasing to hold such, shall cease to hold said office.

Plan of business

§ 9. So much and such parts of the act to which this act is amendatory as are inconsistent with the provisions of this act are hereby repealed.

Conflicting acts
repealed.

§ 10. This act and the act of which the same is amendatory, shall be deemed and taken to be, in all courts of justice in this state, public acts, and be liberally construed for the purposes therein set forth, and the former shall take effect and be in force from and after its passage.

Construction of
act.

APPROVED February 25, 1867.

AN ACT to incorporate the German Mutual Fire Insurance Company, of North Chicago. In force Feb'y 19, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That William Daesman, president, Matthias Franzen, vice president, Peter Schmidt, treasurer, Matthias Brand, secretary, and Henrich Rose, Joseph Mann, and Joseph Schneider, janitors, and all other persons who now are or may hereafter associate* Corporators.

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| Style. | with them, in the manner hereafter prescribed, shall be a body corporate and politic, by the name and style of "The German Mutual Fire Insurance Company, of North Chicago;" and, by that name, may sue and be sued, appear, prosecute and defend in any court of record, or other court or place whatsoever; may have and use a common seal, and alter and renew the same at pleasure; may purchase and hold such real and personal estate as may be necessary to effect the object of this association, and sell and convey the same at pleasure; may make, establish and put into execution, such by-laws, ordinances, and resolutions, not being contrary to the laws of this state or the United States, as may seem necessary and convenient for their regulation or government, and management of their affairs, and do and execute all such acts and things as may be necessary to carry into effect the purposes intended in this act. |
| Powers. | |
| Real estate. | |
| Government and affairs. | |
| Insured persons shall be members. | § 2. All persons who shall, at any time, be insured in this company, shall be members thereof during the continuance in fact of their respective policies, and no longer, and shall, at all times, be bound by the provisions of this act and the by-laws and the regulations of said company. |
| Directors. | § 3. The affairs of said company shall be managed by a board of seven directors, of whom one shall be president, one vice president, one treasurer, one secretary, and three janitors, who shall be chosen every year from among the members of said company, and who shall hold their offices until their successors shall have been elected, and a majority of whom shall constitute a quorum for the transaction of business. |
| May insure. | § 4. This company may make insurance on all descriptions of property, against loss or damage by fire, and may cause themselves to be re-insured upon the whole or any part of any risk in which they may have made insurance. |
| May re-insure. | |
| Insurance rates. | § 5. The rates of insurance shall be fixed by the board of directors of said company. Premium notes may be received from the insured, which shall be paid at such time and times, and in such sum or sums as the directors shall require, for the payment of losses and expenses; and it shall be the duty of the insured to deliver such premium note, at the time he receives the policy from the company, to the president or other person authorized by the by-laws of this company to receive the same. |
| Premium notes. | |
| Losses paid. | |
| Assessments on premium notes | § 6. The directors of said company may levy an assessment upon the premium notes, at any time they may deem it necessary, for the payment of losses and expenses. |
| Proportion of losses. | § 7. The members of this company shall be and are hereby bound to pay their proportion of all losses and expenses happening and accruing during the time for which their policies were issued, to the amount of their premium notes. |

§ 8 When any assessment is made on any premium notes given to the said company, and the maker thereof shall neglect or refuse to pay the amount claimed by said company for the space of twenty days after the notice of such assessment, (which notice shall be given in a manner prescribed by the by-laws of this company,) his, her or their policies shall be suspended until payment shall be made; and in case an action is brought for the recovery of any assessment due said company, the certificate of the secretary of said company, stating the amount of such assessment, shall be taken and received as *prima facie* evidence in all courts and places whatsoever.

Neglect to pay assessments on premium notes

§ 9. All statements made on any application for insurance shall be binding upon the applicants and a warranty upon his, her or their part.

Warranty.

§ 10. The persons named in the first section of this act shall be the officers and directors of said company until others are chosen. The officers and directors of this company shall hereafter be chosen at such time and place and under such regulations as the by-laws may declare.

First directors and officers.

Election of officers and directors.

§ 11. All meetings of the board of directors and other officers of this company shall be called in the manner prescribed by the by-laws of said company; and all vacancies may be filled in such manner as provided for in said by-laws.

Meetings.

§ 12. The office of said company shall be in the city of Chicago, in the county of Cook, and state of Illinois.

Home office.

§ 13. The company may charge each member such admission fee as shall be prescribed by the by-laws.

Admission fee.

§ 14. If any member should intentionally set fire to his premises, and in case fire should happen thereon, caused by great negligence of such member, the policy given by said company to such member shall be void.

Policy, when void.

§ 15. This act shall be deemed a public act, and be liberally construed for the purposes therein mentioned, and be in force from and after its passage.

APPROVED February 19, 1867.

AN ACT entitled an act to incorporate the Dubois Insurance Company. In force February 20, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Jesse K. Dubois, Ozias M. Hatch, Asa Eastman, Isaac Keyes, Pascal P. Enos, Edward R. Thayer, and John W. Bunn, and such other persons as may hereafter become stockholders in the corporation hereby created, their successors and assigns, be hereby created a body corporate and politic, under*

Name and style the name and style "Dubois Insurance Company;" and
Privileges, etc. by that name have and enjoy all the rights and privileges and immunities that other like corporations have, and be recognized in all courts of justice and equity in this state, and shall continue in existence fifty years from the date of its organization.

Capital stock, § 2. The capital stock of said corporation shall be two hundred thousand dollars, to be divided into shares of one hundred dollars each, to be paid in such installments as the board of directors of said corporation may from time to time appoint and order, except as hereinafter provided. The said capital stock may hereafter be increased to an amount not exceeding five hundred thousand dollars, in the discretion of the board of directors; and the stock of said corporation shall be transferable on the books of said corporation, and not otherwise.

Subscription, § 3. Books of subscription may be opened at the discretion of the majority of the persons named in this act; and when the amount of capital stock, as provided in the foregoing section, shall have been subscribed, and ten per cent. thereon paid up, and the remaining ninety per cent. shall be secured by mortgages on unincumbered real estate, worth double the amount secured, U. S. bonds, Illinois state bonds, national currency, or such other securities as may be required by any general insurance law of the state, and the subscribers shall have chosen seven directors, and said directors shall have chosen out of their number a president and vice president, and appointed a secretary, the company shall be held to be organized.

Directors, Officers, Business trans-
actions and operations. § 4. The said company shall have power, by instrument under seal or otherwise, to make insurance upon all descriptions of property against loss or damage by fire; to make insurance upon all descriptions of boats and vessels, the cargoes and freights thereof, and upon bottomry and respondentia interest, against the perils of marine and inland navigation; to cause themselves to be re-insured against any risk upon which they may have insurance.

Directors, Elections, § 5. The first board of directors shall hold their office till the second Monday in January next succeeding the organization of the company, and until their successors are elected; and on the second Monday of January in each year an election of the directors thereof shall be held in the city of Springfield, at such time and place as the existing board of directors may prescribe. The stockholders in said corporation, in person or by proxy in writing, shall be entitled to one vote for each share of stock held by them, respectively, at the time of such election; and the persons, to the number of seven, being stockholders, receiving the highest number of votes at such election, shall be declared elected directors of said corporation for one year, and shall hold their offices until the next annual election, and until

their successors are elected. A majority of the board shall constitute a quorum for the transaction of business.

§ 6. The board of directors shall have power to fill any vacancy that may occur in their own body. They shall choose, in the same manner, previous to the annual election of directors, three inspectors of such election, whose duty it shall be to canvass the votes cast thereat and declare the result. The said inspectors shall also be judges of the qualification of voters. Notice of such election shall be given by publication in one or more daily newspapers published in Springfield, at least two weeks previous thereto, over the signature of an officer of the company.

Vacancies—
notices of
elections.

§ 7. The directors shall meet as soon as may be after every election, and shall choose out of their number a president and vice president, who shall hold their offices until the next annual election of directors and their successors are chosen. They shall also have power to appoint a secretary and all subordinate officers of said corporation, to fix their compensation and prescribe their duties, and to make all needful rules and regulations for the government of said company.

Meetings—
president, etc.*

§ 8. All policies of insurance made by said corporation shall be subscribed by the president or vice president, and countersigned by the secretary; and all losses arising under any policy so subscribed may be adjusted and settled by the president, vice president or secretary, under such regulations as the board of directors may from time to time prescribe.

Adjustment of
losses.

§ 9. The office of said company shall be located in the city of Springfield; but the officers may appoint such agents in other places as they may deem expedient.

Location of
office.

§ 10. The board of directors may, from time to time, in their discretion, estimate the net earned profits that have accrued on the business of the company, and declare such a dividend thereof as they may deem desirable. Such dividends shall be applied in payment of the capital stock subscribed until the amount subscribed by each shareholder shall have been paid up in full; and so of the stock subscribed from time to time. When the capital stock has been fully paid up, dividends may be declared to the stockholders.

Dividends.

§ 11. The company shall have power to use, invest and loan its capital, or other funds, in or upon stocks, bottomry or respondentia, in or on bonds and mortgages, and on personal security, at such rates as private persons may legally do by the laws of the state.

Investment of
capital, etc.

§ 12. Each shareholder in this corporation shall be individually liable for the debts and contracts of said company to the extent of his unpaid stock.

Shareholders'
liabilities.

§ 13. The stock in this corporation shall be deemed personal property, and no transfer shall be valid while the

Stock, etc.
transferable.

holder is indebted to the corporation for installments due and unpaid or otherwise.

Delinquents.

§ 14. If any stockholder or subscriber to stock in said company shall, for the space of sixty days, neglect or refuse, after being duly notified for that purpose to pay in any installment due from him for such stock, in manner directed and required by the board of directors, the said board shall be authorized to sell the stock of such stockholder or subscriber at public auction, giving at least thirty days' public notice of such sale; and the surplus money, the avails of such sale, after deducting the payments due and interest thereupon and the necessary expenses of sale, shall be paid over to such delinquent stockholder. The purchaser of such stock shall be liable (unless the company shall be the purchaser thereof) for so much of said stock as shall remain uncalled for at the time of his purchase: *Provided, however*, that nothing herein contained shall prevent said company from suing for and recovering of the stockholders the amount of calls upon their stock by action of debt or assumpsit.

Banking business prohibited.
Organization.

§ 15. Nothing in this act contained shall authorize said corporation to receive deposits, or do a banking business. Unless said company shall organize within two years after the passage of this act, then this act shall be null and void; and nothing herein contained shall be construed so as to exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

Construction of act.

§ 16. This act shall be deemed a public act, and shall be liberally construed for the purposes therein contained, and take effect from and after its passage.

APPROVED February 20, 1867.

In force Feb'y 20, 1867.

AN ACT to authorize the formation of Township Insurance Companies.

Persons may form corporation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That it shall be lawful for any number of persons, not less than twenty, residing in any township in this state, who, collectively, shall own property of not less than fifteen thousand dollars in value, which they desire to have insured, to form themselves into an incorporated company, for the purpose of mutual insurance against loss or damage by fire; which corporation shall possess the usual powers and be subject to the usual duties and liabilities of bodies corporate and politic, and may sue and be sued, plead and be impleaded, defend and be defended in any court of law or equity, in this state or elsewhere;

Powers

and the corporate name whereof shall embrace the name of the township in which the business office of said company shall be located.

§ 2. Every company so formed shall choose of their number not less than five nor more than nine directors to manage the affairs of such company, who shall hold their office for one year and until others are elected; and such directors shall choose one of their number president and one secretary. Directors.

§ 3. The directors of such company shall file their articles of association, together with a copy of their by-laws and the names of the officers of such company, in the clerk's office of the town in which the office of such company is located, and shall keep a record of their proceedings in a book to be kept for that purpose, together with the names of all persons insured, and the amount each person is insured, and the class of risks to which each insurance belongs; which record shall be open for the inspection of all the members of such company, from the hour of nine o'clock, A. M., to four o'clock P. M., of each secular day, the established holidays excepted. Articles of association—records.

§ 4. The directors of such company may issue policies, signed by their president and secretary, agreeing, in the name of such company, to pay all damages which may be sustained by fire for a term not exceeding five years by the holders of such policies, not exceeding the sum named in said policy, and which shall in no case exceed the sum of three thousand dollars on any one risk. Policies.

§ 5. Every person so insured shall give his obligation, in writing, bearing even date with the policy so issued to him, binding himself, his heirs and assigns, to pay his *pro rata* share to the company of all losses by fire which may be sustained by any member thereof—the said payment to be estimated on the basis of the amount insured and the class of the risk, as classified by the directors of said company; and every such obligation shall, within five days after the execution thereof, be filed by the secretary of such company in the office of the clerk of the township in which the office of such company is located, and shall remain permanently on file in such office, except when required to be produced in court, as evidence. He shall, also, at the time of effecting insurance, pay such percentage, in cash, and such reasonable sum for a policy as may be required by the rules or by-laws of the company. Obligation.

§ 6. Every member of such company, who may sustain loss or damage by fire, shall immediately notify the president of such company, or, in case of his absence, the secretary thereof, who shall forthwith convene the directors of such company, whose duty it shall be, when so convened, to appoint a committee of not less than three nor more than seven members of such company, to ascertain the amount of such loss; and, in case of the inability of the parties to Basis.

When filed.

Payment.

Losses, etc.

agree upon the amount of such damage or loss, the claimant may appeal to the county judge of such county, whose duty it shall be to appoint three disinterested persons, as a committee of reference, who shall have full authority to examine witnesses and to determine all matters in dispute; who shall make their award in writing to the president, or, in his absence, to the secretary of such company; which award thereon shall be final. The said committee of reference shall each be allowed the sum of two dollars per day for each day's service so rendered and five cents per mile for every mile necessarily traveled in the discharge of such duties; which shall be paid by the claimant, unless the award of said committee shall exceed the sum offered by the company in liquidation of such loss or damage, in which case said expenses shall be paid by the company.

Classification of property.

§ 7. The companies formed under the provisions of this act may classify the property insured therein, at the time of issuing policies thereon, under different rates, corresponding as nearly as may be to the greater or less risk from fire and loss which may attach to each several building insured. Whenever the amount of any loss shall have been ascertained, which exceeds in amount the cash funds of the company, the president shall convene the directors of said company, who shall make an assessment upon all the property insured, according to the amount for which each several piece of property is insured, taking into account the rate of premium under which it may have been classified.

President.

§ 8. It shall be the duty of the president, whenever such assessment shall have been completed, to immediately notify every person composing such company, by letter sent to his usual postoffice address, of the amount of such loss and the sum due from him as his share thereof, and of the time when and to whom such payment is to be made; but such time shall not be less than sixty nor more than ninety days from the date of such notice; and every person designated to receive such money shall immediately pay the sum over to the person who shall have sustained the loss or damage, without charge for his service as collector.

Assessments—liabilities of stockholders.

§ 9. Suits at law may be brought against any member of such company who shall neglect or refuse to pay any assessment made upon him by the provisions of this act; and the directors of any company so formed, who shall willfully refuse or neglect to perform the duties imposed upon them by the foregoing sections of this act, shall be liable, in their individual capacity, to the person sustaining such loss.

Insurance limit

§ 10. No company formed under this act shall insure any property out of the limits of the township in which the office of the company is located, except that in thinly settled townships, where there are not the required number of persons who desire to organize under the provisions of this

act, the inhabitants may connect themselves with a company organized or about to organize in any adjoining township; nor shall any company formed under this act insure any property other than detached dwellings and their contents, and farm buildings and their contents; nor shall they insure any property within the limits of any incorporated city of this state.

§ 11. The directors of each company so formed shall be chosen by ballot, at the annual meeting thereof; which shall be held on the first Monday of January, in each year; and every person insured shall have one vote for each two hundred and fifty dollars which he may be insured. Election.

§ 12. It shall be the duty of the secretary of every company as aforesaid to prepare a statement, showing the condition of such company on the day preceding their annual meeting; which statement shall contain the amount of property insured, the number of policies issued and to whom, and the amount insured by each policy, and all other matters pertaining to the interests of such company; which statement shall be filed in the office of the town clerk of the township in which said company may be located, on or before the fifteenth day of January in each year; and which statement shall also be read to the members of said company at their annual meeting. Annual state-
ments.

§ 13. Any member of such company may withdraw therefrom, at any time, by giving notice in writing to the president, or, in his absence, to the secretary thereof, and paying his share of all claims then existing against said company; and the directors, or a majority thereof, shall have power to annul the policy of such withdrawing member. Withdrawal of
members.

§ 14. Non-residents of any township in this state, owning property therein, may become members of any company formed under this act, and shall be entitled to all rights and privileges appertaining thereto, except that it shall not be lawful for such non resident to become a director in said company, unless he be, at the time of such membership, a resident of a town adjoining the town in which said company has been formed under the provisions of this act. Non-residents.

§ 15. The company so formed may adopt such by-laws for its regulation as are not inconsistent with the provisions of this act, and may therein prescribe the compensation of any of its officers. By-laws.

§ 16. This act shall apply to those counties which have adopted the township organization, in accordance with the existing laws of this state, and to no others. Application of
act.

§ 17. No company formed under the provisions of this act shall carry on any other business than that of insurance against damage or loss by fire. Other business
prohibited.

§ 18. This act shall be in force from and after its passage.

APPROVED February 20, 1867.

In force Feb'y 20, 1867. AN ACT to amend an act entitled "An act to incorporate the Commercial Insurance Company."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Amend sec. 2. second section of the act to which this is an amendment, be so amended that the board of directors therein named may, Capital stock— in the manner therein provided, increase the capital stock— increase of. of said company to any amount, not exceeding the sum of Books of sub- one million of dollars, and may open books for the sub- scription. scription of such increased capital stock, as by said act is provided for the subscription of the original capital stock of said company.

Directors. § 2. The affairs of said company shall be managed by a board of directors, not less than nine in number, to be elected by the stockholders, as in said act provided; and it shall be competent for the present or any future board of directors, at any meeting of said board, to increase the Increase of. number of said directors, as they may deem fit. Said additional directors, whenever ordered and determined on by said board of directors, shall be elected by the stockholders of the said company, in such manner as the said board of directors may, by their by-laws prescribe, and who shall hold their office until the next annual election of directors, as in said act provided.

Name and style § 3. The name and style of the corporation to which this act is an amendment shall be "Commercial Insurance Company of Chicago."

Banking forbid. § 4. Nothing in this act or in the act of which this is an amendment, shall be construed so as to permit said company to do a banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 5. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 20, 1867.

In force Feb'y 21, 1867.

AN ACT to incorporate the Union Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That H. Corporate name Prather, J. Millikin, A. T. Hill, T. O. Smith, J. R. Gorin, and powers. L. Burrows, S. Wait, J. Ulrich, D. Shellabarger, George W. Bright, G. W. Morrill and A. B. Cochran, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style

of "Union Insurance Company;" and by that name and style may sue and be sued, plead and be impleaded, appear, prosecute and defend in any court of record or any other court or place whatsoever; and may have and use a common seal, and alter, break and renew the same at pleasure.

2. The said company shall also have power and authority to take risks and make insurance on all kinds of property against loss or damage by fire, lightning, wind, tornado or flood, and the risks of inland navigation and transportation, and any other kind of risk that they may deem proper, and charge and receive such premiums therefor as may be agreed upon by and between the parties; and may use and invest or loan its capital or surplus funds in such a way and manner as the directors may deem the interest of the company require, at such rates as private persons may legally do by the laws of this state; but shall not be construed as granting banking privileges. They may also cause themselves to be re-insured against loss or damage upon any or all risks taken. To take risks.

§ 3. The persons named in the first section of this act shall be the first board of directors, and shall hold their office until the first Monday in January next after the organization of the said company. The subsequent board of directors shall consist of not less than five stockholders, which number may be increased at any election. Annual elections of the said company shall be held at the office of the company, on such a day, in the month of January, as the directors may deem proper. Each stockholder shall be entitled to one vote for each share of the capital stock held by him. Stockholders may vote in person or by proxy, as provided for in by-laws. The board of directors may appoint three of their number to act as an executive committee, which committee shall have all the power of the board, when the board of directors are not in session. And said directors may fill any vacancies occurring in the board of directors or executive committee. Directors.

§ 4. The board of directors shall elect from their number a president, vice-president and treasurer; a secretary, general agent and other officers may be appointed by the board of directors or executive committee, upon such terms as may be agreed upon. The duties of officers and agents shall be prescribed by by-laws. Vote of stockholders.

§ 5. The capital stock of said company may be increased to five hundred thousand dollars, and shall be divided into equal shares of one hundred dollars each, and shall be secured by mortgages on unincumbered real estate, United States bonds, Illinois state stock, or national bank currency, or such other securities as may be required by any general insurance law of this state. And as soon as one hundred thousand dollars shall have been subscribed and secured, as above provided for, and ten per cent. actually paid in, the Officers.

Capital stock.

When to commence business.

directors of the said company may commence to issue policies and transact the general business of the company. And each stockholder shall be liable to the amount of his subscription to the capital stock, and no more.

Books of sub-
scription.

§ 6. Books of subscription to the capital stock of said company shall be opened by the direction of a majority of the persons named in the first section of this act, living at the time of said company's organization, which shall be done within two years from the passage of this act, or the rights herein granted shall be forfeited.

Place of office.

§ 7. The home office of the said company shall be in the city of Decatur, county of Macon, state of Illinois: *Providing, however*, a majority of the directors may at any time deem it to the interest of the company, they shall have power to remove it to any other place in this state, and may carry on business in any other place by agency.

Banking forbid.

§ 8. Nothing herein contained shall be construed so as to permit said company to do a banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 9. This act shall be deemed a public act, and the power granted perpetual, and shall take effect and be in force from and after its passage.

APPROVED February 21, 1867.

In force Feb'y 21, 1867. AN ACT to amend the charter of the National Accident and Life Insurance Company.

Name changed

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the name of said company be changed to the "National Life Insurance Company;" and that the home office of said company shall be in the city of Chicago, and state of Illinois.

Place of office.

Act repealed.

§ 2. That so much of the act to which this is an amendment as is inconsistent with this act be and the same is hereby repealed.

§ 3. This act to take effect from and after its passage.

APPROVED February 21, 1867.

AN ACT to amend the charter of the Travelers' Insurance Company of Chi- In force Feb'y
cago, Illinois. 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name of the "Travelers' Insurance Company of Chicago, Illinois," be and the same is hereby changed to "Chicago Life Insurance Company;" such change in nowise to affect any of the acts and things done by said company previous to the passage of this act. Name changed.

§ 2. The said company shall have power to make insurance upon the lives of individuals and upon the lives of persons connected by marital relations to the persons applying for insurance, and also upon the lives of persons in whom the applicant has a pecuniary interest, as creditor or otherwise; to secure trusts, grants, annuities and endowments, and purchase the same, in such manner and for such premiums and considerations as the board of directors or executive committee shall direct. The board of directors may collect and sell its securities and re-invest the proceeds thereof, and may accumulate a contingent capital, by receiving conditional notes for insurance, at the time of insuring any person or persons; such notes to be paid in the way and manner provided for in the note or notes and by the by-laws of the said company, and said notes shall not be taxed until paid. Powers.

§ 3. Whenever the cash accumulations of said company shall amount to one hundred thousand dollars, over and above the paid up capital stock of said company, it shall be lawful for the directors of said company to retire the paid up capital stock, and conduct the future business of said company on the plan of mutual life insurance. Contracts of insurance may be made on such terms and conditions and for such periods of time as shall be, from time to time, ordered and provided for by the by-laws of said company and agreed upon in the contracts for insurance. Cash accumulation—contracts.

§ 4. Section fourth of the charter of the Travelers' Insurance Company is hereby made to read as follows: "The directors of said company may appoint three of their number an executive committee, who shall have all the powers of the board of directors, when the board of directors is not in session. Said company may divide insurance into classes, and the premiums received shall be appropriated to the payment of losses and expenses of the class to which they belong; and may conduct insurance both upon the plan of stock and mutual life insurance." Sec. 4 amended.

§ 5. This act and the act to which this is an amendment shall not be deemed to exempt said company from the operation of such general laws as may be hereafter enacted by the general assembly on the subject of life insurance. Subject to general insurance laws.

§ 6. This act shall be deemed a public act, and shall be liberally construed for the purpose therein mentioned, and shall take effect and be in force from and after its passage.

APPROVED February 21, 1867.

In force March 5, 1867. AN ACT to incorporate the Montgomery County Fire Insurance Company.

Corporators.

Name and style

Capital stock.

Powers.

Payment of stock.

Directors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edward I. Rice, Richard W. O. Bannon, Filmon Shore, Benjamin C. Beardsley, Winfield S. Palmer, William I. Elliott, Albert H. Brown, John T. Madden, and Robert W. Davis, and all other persons who shall hereafter become stockholders in the corporation hereby enacted, shall be a body politic and corporate, by the name of "The Montgomery County Fire Insurance Company;" and, by such name, shall have succession, and continue in existence for fifty years, from the time this act shall take effect; and may sue and be sued, and have all other rights and privileges ordinarily granted to corporations.

§ 2. The capital stock of said corporation shall be fifty thousand dollars, to be divided into shares of fifty dollars each. The said capital stock may hereafter be increased to an amount not exceeding two hundred thousand dollars, in the discretion of the board of directors; and the stock of said corporation shall be transferable on the books of said corporation, and not otherwise.

§ 3. The said corporation may have and use a common seal, which they may change, alter, or break at pleasure; and may also make, establish and put in execution such by-laws, ordinances and regulations as shall, in their opinion, be necessary for the good government and management of the affairs of said corporation, and which are not repugnant to the laws and constitution of the United States or of this state.

§ 4. The stock of said company shall be paid in the following manner, to-wit: At the time of subscribing, at least ten per cent. shall be paid in in cash, and the remaining ninety per cent. shall be secured by mortgages upon unincumbered real estate, worth at least double the amount secured, or by United States bonds, or Illinois state bonds.

§ 5. The stock and affairs of said company or corporation, aforesaid, shall be managed and conducted by nine directors, who shall be stockholders of said corporation. They shall, after the first year, be elected on the first Monday in January in each year, at such time and place, in the city of Litchfield, as the board of directors for the time

being, shall appoint, and shall hold their offices for one year and until others shall be chosen to supply their places, and no longer. Ten days' public notice of said election shall be previously given; and the election shall be held under the inspection of three stockholders, to be previously appointed by the board of directors for that purpose; and shall be made by ballot, by plurality of the stock represented, allowing one vote for every share; and stockholders not personally present may vote by proxy, mailed, in writing, and directed to the person representing them at such election. In case that it shall happen at any time 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 it shall and may be lawful, on any other day, to make and hold an election of directors, in such manner as shall be directed by the by-laws and regulations or ordinances of said company.

§ 6. The directors of said company shall, as soon as may be after their election, in each year, proceed to choose out of their body, one person to be president, who shall preside until the next annual election thereafter; and in case of the death or resignation of the president, or any director, the vacancy may be filled 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 tem.*, who shall have all the powers, and perform all the duties of the president regularly chosen. President.

§ 7. The directors may, by the ordinances or by-laws of said company, order what number of directors shall constitute a board or quorum, and be competent for the transaction of the business of the corporation; and they shall have power, subject to said by-laws, to appoint, from their own body, one or more persons to act and assist in the performance of the business of the company, with such salaries and allowances as they may think proper, and also to appoint a secretary, and such clerks and other servants as they may deem expedient. They shall have the power to declare and make dividends of the profits arising from the business of said corporation; but all contracts, certificates, and other instruments of writing of said corporation, shall be signed by the president and secretary thereof, or either of them, as may be provided by the by-laws of said company. Assistants.
Officers, etc.

§ 8. The corporation hereby created shall have full power and authority to take all marine risks, of any and every kind, nature and description, and to make insurance upon inland navigation and transportation, and against losses by fire of buildings and other property whatsoever; and also to receive money on deposit from the stockholders only, and to loan the same and their surplus or unemployed cap- Business and
operations.

ital or money, on personal, real or other security, at such rates of interest, not exceeding ten per cent., as they may think proper; and to lend money upon respondentia and bottomry, to companies, corporations or individuals, upon such securities as they shall think proper. They may, also, cause themselves to be insured or re-insured against all and any risks upon which they may have made insurance, and also upon all property of every kind, or any interest therein, owned by said company, or held by them as security; and, generally, to do or perform all necessary matters and things relating to or connected with those objects, or either of them.

Stock transfer-
able.

§ 9. The stock of said corporation shall be considered personal property, and shall be assignable and transferable according to such rules and restrictions as the board of directors shall from time to time make and establish.

May hold real
estate, etc.

§ 10. The said corporation may purchase, hold, sell and convey, at their pleasure, all such real estate as may be deemed necessary for the transaction of its business, not exceeding at any one time thirty thousand dollars; and to take and hold any real estate, mortgaged or pledged as security for the payment of any debt due, or that may become due to it; and, also, to purchase, on sale, in virtue of any judgment at law, or any decree of a court of equity, or otherwise; to take and receive any real estate or other property, in payment or towards satisfaction of any debt previously due to said corporation, and to hold the same until they can conveniently and advantageously sell or convert the same into money or other property.

Disposition of
surplus funds.

§ 11. That said corporation shall have full power and authority to deposit any portion of their unemployed capital or other funds, at any time in their possession, with any corporation, company, or individual, in any section of the United States, and to use the same as they may think proper, in order to facilitate exchanges; and to do and perform all such acts and things as may be requisite in all such transactions, and for the best interest of said corporation.

Policies signed.

§ 12. All policies of insurance by them made shall be subscribed by the president, or, in case of his death or absence, by such other person as may be authorized, 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 board of directors or such other person or persons as said board may appoint for such purposes.

Stockholders'
liabilities.

§ 13. In case of any loss or losses, whereby the capital stock of said company may be lessened before all the installments are paid in, each proprietor's or stockholder's estate shall be held accountable for the installments 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 or by advance of the stockholders, to make good said capital stock, shall have been added thereto.

§ 14. The business of the company shall be carried on Place of business at such place in the city of Litchfield, or elsewhere by agency, as the directors shall direct, and at such agencies as they may establish.

§ 15. This act shall be and it is hereby declared to be Construction of act. a public act; and the same shall be construed liberally for the beneficial purposes herein granted; and the corporation hereby created shall take effect and be in force from and after the passage thereof, and shall continue in force for the term of fifty years, and no longer.

§ 16. This charter shall be void and of no effect, unless When to organize. the company shall commence operations, agreeable to the provisions thereof, within two years after the passage of this act. This act shall be subject to any general law of this state hereafter passed on the subject of insurance or insurance companies.

§ 17. That nothing contained in this act shall be so construed as to authorize said company to do any banking business, or to issue any certificates of deposit, to circulate as money or currency. Banking forbid.

APPROVED March 5, 1867.

AN ACT to incorporate the Home Insurance Company of Chicago.

In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles Walker, James Launder, Michael Keely, Isaac R. Diller, Peter Smyth, Anton Berg, Robert Stewart, Thomas Buckley, and such other persons as may become stockholders in the corporation hereby created, their successors and assigns, be and they are hereby created a body corporate and politic, under the name and style of "The Home Insurance Company of Chicago;" and, by that name and style, shall have perpetual succession; may sue and be sued, plead and be impleaded, answer and be answered unto in all places, and be recognized in all courts of law and equity, or where judicial proceedings are had; may have and use a common seal, which they may alter at pleasure; and may purchase, hold and convey real estate and personal property, for the use of said corporation; and may make by laws for the government of its officers: *Provided*, that if the corporation created by this act shall not organize within one year after the passage hereof, then this act shall be null and void.

Name and style.

Powers.

Proviso.

Capital stock.

§ 2. The capital stock of said corporation shall be two hundred thousand dollars, to be divided into shares of one hundred dollars, and paid in such installments as the board of directors shall from time to time direct, except as hereinafter provided. The capital stock may be increased, not to exceed six hundred thousand dollars, in the discretion of the board of directors. The stock shall be transferable on the books of said corporation.

Stock subscrip-
tion.

§ 3. Books of subscription may be opened, at the discretion of the majority of the persons named in the first section hereof; and when the amount of capital stock, as provided in the preceding section, shall have been subscribed, the stockholders may proceed and elect nine directors, to comprise a board of directors, by whom the affairs of the corporation shall be managed; and when said directors shall choose out of their number a president and vice president, and shall have appointed a secretary, said board of directors may declare the company fully organized, and proceed to call in such an installment on the stock subscribed as they may deem necessary, not less than ten per cent., in cash; and, for the balance of such subscriptions, may take bonds, secured by mortgage on unincumbered real estate, in the state of Illinois, worth double the amount secured, or by United States bonds, or Illinois state bonds.

Business
powers.

§ 4. The said corporation shall have power, by instrument under seal, or otherwise:

First.—To make insurance or take risks on all descriptions of buildings and property, against loss or damage by fire.

Secondly.—To make insurance or take risks upon all descriptions of boats and vessels, the cargoes and freights thereof, bottomry and respondentia interests against the perils of marine and inland navigation.

Thirdly.—To cause themselves to be re-insured against any risk upon which they may have insurance, and to take such other risks or hazard as the corporation may from time to time determine.

Election
directors. of

§ 5. The first board of directors shall hold their office until the second Monday in January next succeeding the organization of the company and until their successors are elected. On the second Monday of January, in each year thereafter, or at such time as the by-laws may prescribe, an election of directors of said corporation shall be held in the city of Chicago, at such time and place as the existing board of directors may prescribe. The stockholders of said corporation, in person, or by proxy in writing, shall be entitled to one vote for each share of stock held by them, respectively, at the time of election; and the persons, to the number of nine, being stockholders, receiving the highest number of votes at such election shall be declared elected directors of said corporation for one year, and shall hold

Vote of stock-
holders,

their offices until the next annual election and until their successors are elected. A majority of the board shall constitute a quorum for the transaction of business. Quorum.

§ 6. The board of directors shall have power to fill any vacancy that may occur in their own body—a plurality of votes constituting a choice. They shall choose, in the same manner, previous to the annual election of directors, three inspectors of such election, whose duty it shall be to canvass the votes cast thereat and declare the result. The said inspectors shall be judges of the qualifications of voters, notice of such elections shall be given by publication in one or more daily newspapers published in the city of Chicago, at least ten days previous thereto. Vacancy.
Elections.

§ 7. The directors shall meet, as soon as may be after every election, and choose out of their number a president and vice president, who shall hold their offices until the next annual election of directors and until their successors are chosen. They shall, also, have power to appoint a secretary, and such other officers or agents as the corporation may determine. Officers.

§ 8. All policies of insurance made by said corporation shall be subscribed by the president and vice president and countersigned by the secretary; and all losses occurring may be adjusted and settled by the president, vice president and secretary, under such regulations as the board of directors may from time to time prescribe. Policies signed.
Adjustment of losses.

§ 9. The office of said corporation shall be at the city of Chicago; but agents may be appointed at other places, as may be deemed expedient. Place of office.

§ 10. The board of directors shall, from time to time, estimate the net earned profits that have accrued in the business of the corporation, and declare such a dividend thereof to the stockholders as they may deem just and proper. Dividends.

§ 11. By the consent, in writing, of the stockholders representing three-fourths of the amount of the capital stock, the insured may be allowed to participate in the net profits of the business of the corporation. Application of capital stock.

§ 12. Nothing in this act shall authorize said corporation to engage in any banking business.

§ 13. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void; and nothing in this act or in the act of which this is an amendment shall be construed so as to exempt said company from the operations of such general laws as may hereafter be passed upon the subject of insurance companies. When to organize.

§ 14. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

§ 15. Said corporation shall have power to borrow money, when deemed necessary, in conducting its business; also, to loan its surplus funds, on good security, and invest the Indebtedness.

same, under such regulations as the board of directors may prescribe. This act shall be void, unless the said company shall organize and proceed to business within two years after the passage hereof. This act shall be subject to any general law of this state on the subject of insurance or insurance companies.

APPROVED March 5, 1867.

In force Feb'y 28, 1867. AN ACT to amend an act entitled "An act to incorporate the Wabash Valley, Fire and Marine Insurance Company, at Paris, Edgar county, Illinois," approved February 14, 1857.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name of the Wabash Valley Fire and Marine Insurance Company, at Paris, Edgar county, Illinois, be and it is hereby changed to "The Wabash Insurance Company, at Paris, Illinois;" and by said name of Wabash Insurance Company, shall succeed to, have and enjoy all the rights, powers, immunities and privileges heretofore held and enjoyed by the said Wabash Valley Fire and Marine Insurance Company, at Paris, Edgar county, Illinois, by virtue of the acts incorporating the same, approved February 14, 1857, and of the act supplemental thereto, approved February 18, 1857.

Name changed,

Powers of corporation.

Additional commissioners.

§ 2 That Calvin W. Leovings and James A. Edds, be and they are hereby appointed additional commissioners, to act in concert with the said Samuel Connely, Daniel G. Burr and William D. Latshaw, named in said act, and that five commissioners, or a majority of them, are hereby authorized and empowered to carry out the provisions of said act, incorporating the said Wabash Valley Fire and Marine Insurance Company, at Paris, Edgar county, Illinois, approved February 14, 1857, and of the act supplemental thereto, approved February 18, 1857, as fully and to the same intent, as the said three commissioners named in said act are thereby authorized to do.

When to organize.

§ 3. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act or in the act of which this is an amendment shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws, as may hereafter be passed upon the subject of insurance companies.

Banking forbid.

§ 4. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to amend the charter of the Columbian Insurance Company. In force Feb'y 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That said company be and they are hereby authorized to invest, not to exceed one-third of the capital, in state or United States bonds or stocks, or in the stock of any National bank; and may declare dividends to the stockholders. Said company shall have perpetual succession; and may issue perpetual or installment policies, in such form and manner, at such rates, and under such by-laws, rules, conditions and restrictions, as may be agreed upon by the company and the parties insuring.

Investments of stock.

Perpetual policies.

§ 2. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act, or in the act of which this is an amendment, shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

Limit of law.

Banking forbid.

§ 3. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to amend an act entitled "An act to incorporate the Union Insurance Company," approved February 16, 1865. In force March 4, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the second proviso of the first section of an act entitled "An act to incorporate the Union Insurance company," approved February 16, 1865, be and the same is hereby amended, by striking out the words after the word "hereby," and inserting in said section the words "two years, from and after the passage of this act."

Second proviso of sec. 1 of act approved Feb. 16, 1865, amended.

§ 2. The home office shall be established in the city of Chicago, Cook county, Illinois, with such agencies elsewhere as said company may from time to time establish.

Home office.

§ 3. Nothing in this act or in the act of which this is an amendment shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

Banking forbid.

§ 4. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 4, 1867.

In force March
4, 1867.

AN ACT to incorporate the Wauconda Mutual Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That H. B. Bassett, A. B. Partridge, J. B. Thomas, Justus Bangs, Isaac H. Smith, Robert Harrison, J. P. Wells I. H. Payne, Hurlbut Swain, and their associates, be and they are hereby created a body politic and corporate, by the name and style of "The Wauconda Mutual Insurance Company," for the purpose of insuring dwelling houses, household furniture, farm buildings, and other property, against loss or damage by fire; and may, by that name, sue and be sued, appear, prosecute and defend, in any court of record or other court in this state. Said company may have and use a common seal, and alter or renew the same at pleasure; may make, establish and put in execution such by-laws, ordinances and resolutions, not being contrary to the laws of this state or of the United States, as may be necessary or convenient for their regulation and government, and for the management of their affairs; and may do and execute all such acts and things as may be necessary to carry into effect the provisions of this act.*

Name and style

Corporate
powers.

Membership.

§ 2. All persons holding policies of insurance in this company shall be members thereof, and entitled to vote upon any matter to be determined by a vote of the company; and a plurality of the votes cast shall be sufficient to decide any matter voted on.

Directors.

§ 3. The affairs of this company shall be managed by a board of directors, to consist of not less than three nor more than twenty-one, as shall be regulated by the by-laws of said company. Said directors shall be chosen by ballot, from among the members of said company; and a majority of the whole board shall constitute a quorum for the transaction of business.

First board.

§ 4. The persons named in the first section of this act shall serve as the first board of directors, to serve as such until the first annual meeting after the organization of this company under this act, and until others are elected.

Elections.

§ 5. All elections in this company shall be held at such time and place, in the county of Lake, and be conducted by such officers as the by-laws may determine. Notice of the time and place of holding regular and special meetings of this company shall be published in such manner as the by-laws shall direct. Directors shall hold their offices for one year, and until others are chosen; and vacancies may be filled at any meeting of the company.

By-laws.

§ 6. The by-laws of the "Milburn Mutual Insurance Company," with such modifications, alterations and amendments, as this company may make thereto, may be adopted by the first board of directors for the government of this

company. The company may, by its board of directors, make all needful rules, regulations and by-laws, not inconsistent with the constitution and laws of the United States, or of this state.

§ 7. The officers of this company, in addition to the board of directors, shall be a president, secretary and treasurer, to be elected by the company at the time of electing directors, and to hold their offices for one year and until others are chosen. The persons hereinbefore constituted the first board of directors shall choose a president, secretary and treasurer from among themselves or from other members of the company, for and until the first annual meeting as aforesaid, and until others are chosen in their stead. The duties and compensation of the officers of this company shall be determined by the by-laws of the company. The directors may appoint such agents and subordinate officers as the by-laws may determine.

Officers.

Compensation.

§ 8. The rates of insurance shall be fixed and regulated by the company; and premium notes may be received from the insured and shall be paid at such times and in such sums as the directors shall from time to time require for losses and expenses; but the directors shall not at any time make a larger assessment on premium notes than is necessary to pay such losses and expenses; and the premium notes shall constitute the capital stock of said company.

Insurance rates

Assessments.

§ 9. Members of this company shall be bound and obliged to pay their just proportion of all losses and expenses accruing during the time for which their policies were issued, to the amount of their premium notes, and no more; and if any member shall neglect or refuse to pay his or her assessment, as levied by the board of directors, for more than thirty days after notice of such assessment, then his or her policy shall become void until such payment is made; but such forfeiture shall not exonerate such person from paying his or her just proportion of all losses and expenses up to the time of such forfeiture.

Obligations of members.

§ 10. The board of directors may establish rules by which applications for insurance may be in writing, which shall state all material facts and circumstances affecting the risk; and such statement shall be binding upon the insured, and be a warranty on his or her part.

Applications for insurance.

§ 11. It shall be lawful for this company to re-insure any risk, or part of risk, on which it has made insurance.

Re-insurance.

§ 12. For the purpose of preventing delay in the arrangement of losses, and preventing vexatious litigation, this company may establish rules for securing fair and impartial arbitration in such cases of loss or damage as the insured and directors can not agree upon, and make the award of such arbitration final and binding.

§ 13. In suits at law between this company and any of its members, any member of the company, not interested

Suits at law.

further than his or her proportion of loss as a member of the company, shall be deemed a competent witness; and the certificate of the secretary or treasurer, as to the amount of any premium note or assessment on the same, or other matter pertaining to the office of such secretary or treasurer, necessary to elucidate the facts in any case pending, shall be deemed *prima facie* evidence of such fact; and if the agent of the company shall so desire, the party suffering loss shall be examined under oath concerning the circumstances of such loss.

Limit of law.

§ 14. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void, and nothing in this act shall be construed so as to permit said company to do banking business or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 15. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 4, 1867.

In force March 5, 1867. AN ACT to incorporate the Farmers' and Mechanics' Insurance Company, of Paris.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Napoleon B. Stage, John W. Fisher, John Sidell and Spencer K. Hunter, and their associates, successors and assigns, be and are hereby created a body corporate and politic, under the name and style of "The Farmers' and Mechanics' Insurance Company, of Paris, Edgar county, Illinois," and by such name shall have perpetual succession; may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended; may have and use a common seal, which they may alter at pleasure; and may purchase, hold or convey real estate or personal property, for the use of said company; may also make such by-laws as are necessary for the regulation of its affairs; and, in addition to these general powers, shall have authority, by instrument, under seal or otherwise:

First.—To make insurance on all description of property, against loss or damage by fire.

Second.—To make insurance on cargoes and freights of boats and vessels, and on bottomry and respondentia interests, against the peril of marine and inland navigation.

Third.—To cause themselves to be re-insured against any risk on which they may have insurance: *Provided*, that if the corporation created by this act shall not organize within two years from the passage thereof this act shall be null and void. Proviso.

§ 2. The capital stock of said corporation, shall be three hundred thousand dollars, to be divided into shares of one hundred dollars each, to be paid in such installments as the board of directors may direct: *Provided*, that the first installment thereon shall not be less than ten per cent. on said stock, and the remaining ninety per cent. be secured by mortgage upon unincumbered real estate, worth double the amount secured, or by United States bonds or Illinois state stocks, shall be transferable only on the books of said company. Capital stock.

§ 3. Books of subscription may be opened under the direction of the board of directors, hereby constituted; and, when one hundred thousand dollars have been subscribed, the said board of directors may declare the company organized, and proceed to call in the first installment of the stock in cash, and for the balance of such subscription may take bonds and mortgages of real estate or other approved collateral securities, in their discretion; and may also, from time to time, invest in like securities or otherwise, as they see fit, whatever amount of paid up or other assets in the possession of the company, as the said board of directors may deem best for the interests of the company to so invest. Stock subscription.

§ 4. The persons so named in the first section of this act, shall constitute the first board of directors, and shall hold their offices until the prior Monday in January next succeeding the organization of the company, and until their successors are elected and qualified; and on the first Monday of January in each year there shall be an election of not less than three nor more than thirteen directors, held in the town of Paris, at such place as the existing board may prescribe; and it shall be an essential qualification that each director shall be a stockholder in said corporation. Directors.
All the corporate powers of said corporation shall be vested in, and exercised by said board of directors and such officers and agents as said board shall appoint; and the said board of directors shall have power to fill any vacancy that may occur in their own body—a majority of votes constituting a choice.

§ 5. All policies of insurance, issued by said corporation, shall be signed by the president and secretary, and in case of the death or absence of the president, by a vice-president, in his stead; and all losses arising under any policy so signed may be adjusted and settled by the president and secretary, under such regulations and orders as as the directors may from time to time prescribe. Policies signed.
Losses.

Place of office. § 6. The office of the company shall be located and kept in the town of Paris; but the officers of the company may appoint agents in other places, as they may deem necessary or conducive to the interests of said company.

Limit of law. § 7. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void, and nothing in this act shall be construed, so as to permit said company to do banking business, or exempt said company from the operations of such general laws, as may hereafter be passed upon the subject of insurance companies.

Banking forbid. § 8. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 5, 1867.

In force March 5, 1867. AN ACT to amend an act entitled "An act to incorporate the National Travelers' Insurance Company," approved February 15, 1865.

Change of name. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That "The National Travelers' Insurance Company," shall hereafter be known and designated as "The Chicago National Insurance Company;" and, also, shall have authority to make insurance against loss by fire on any and all kinds of houses, buildings and fixtures; to make insurance and take any and all insurance risks, and to fix, charge and receive such rates of premium therefor as may be agreed upon between the parties; and any or either of the risks and insurance, fire or marine, may be done upon the mutual or stock principle, or upon both together.

Subscription to stock. § 2. The three persons last named in the first section of the act hereby amended, or a majority of them, are hereby authorized and empowered to receive subscriptions to the capital stock of said company, in the manner provided in said act of incorporation, and to organize the same.

Section 12 amended. § 3. Section twelve, of said act of incorporation, is hereby amended so that the same shall read as follows, to-wit: "The said corporation may have power to cause itself to be re-insured upon any risk, or part of the same, on which they may have made insurance; and shall be subject to the operation of all general laws which may be applicable and in force as to all insurance companies incorporated in this state.

§ 4. This act shall take effect from and after its passage.
APPROVED March 5, 1867.

AN ACT to incorporate the Shipper's Insurance Company.

In force March
5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Stephen G. Paddock, B. J. Kellog and John G. Osborn, and their associates, are hereby constituted a body corporate and politic, by the name and style of "The Shipper's Insurance Company;" and, as such, shall have perpetual succession; may sue and be sued; have a common seal; and have and exercise all the rights, powers and immunities and be subject to all the liabilities of a body corporate and politic, that may be necessary for the objects of this corporation.

Corporators.

Name and style

§ 2. The capital stock of said company shall be one hundred thousand dollars; to be divided into shares of one hundred dollars each, which shall be personal property, and transferable, as such, on the books of the company, in the manner and subject to the restrictions provided by the by-laws; and the same may be subscribed for and held by private persons or by any corporation organized under any law of this state. Each share of stock shall entitle the holder thereof to one vote in the election of directors, or for the purpose of increasing the capital stock. The capital stock of said company may be increased to an amount, not exceeding, in the aggregate, five hundred thousand dollars

Capital stock.

§ 3. The general business of said company shall be conducted by [a board] of five directors, to be elected annually, at such times as shall be fixed by the by-laws; and the said directors shall be authorized to appoint such other officers and agents as they shall deem necessary for the best interests of said company, and may prescribe their powers, duties and liabilities. The said directors shall have power to make all necessary by-laws, rules and regulations, for the management of the affairs of said company.

Directors.

Officers, etc.

By-laws.

§ 4. The said company shall not be deemed organized until twenty per cent. of the capital stock shall have been paid in and the balance shall have been secured by deposit of bonds of the United States or of the state of Illinois. The principal office of said company shall be located at Chicago, in the state of Illinois; but the said company may establish agencies at other places. This act shall be void unless said company shall organize, within two years after the passage hereof; and shall be subject to any general law now in force or that may be hereafter passed affecting insurance companies.

Organization.

Principal office.

§ 5. It shall be lawful for said company :

First.—To make insurance on all descriptions of property, against loss or damage by fire, or otherwise.

Business and
operations.

Second.—To make insurance on all descriptions of boats and vessels, the cargoes and freights thereof, and on bot-

tomry and respondentia interest, and on personal property, against the perils of marine or inland navigation.

Third.—To cause themselves to be re-insured against any risk on which they may have insurance.

§ 6. This act shall be a public act, and shall take effect and be in force from and after its passage.

APPROVED March 5, 1867.

In force March 5, 1867. AN ACT to amend an act entitled "An act to incorporate the Du Page Mutual Insurance Company of Wheaton," approved February 16, 1857.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name of the Wheaton Mutual Insurance Company be and is hereby changed, and declared to be "The Illinois State Insurance Company;" and the said company are hereby further authorized and empowered to establish an office in the city of Chicago; to issue policies and make all contracts, agreements or other instruments, pertaining to the said business of insurance at said city, as well as at the home office. All the powers, rights and franchises, and all the liabilities imposed on said corporation, under the original charter, or under the amendment thereto, shall be and are hereby preserved and conferred upon and vested in the said new company, under the name and title hereby given to said corporation, in the same manner and to same extent as the same has heretofore been held and possessed by the said corporation under its former name.

§ 2. Nothing in this act, or in the act of which this is an amendment, shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 3. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 5, 1867.

In force March 5, 1867. AN ACT to incorporate the Quincy Union Mutual Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That from the time this act shall take effect, Frederic J. Reinaker, Louis Golm, Henry Heidebreder, Henry Meisier, Henry Pieper,

Almon Wheat, and all other persons who may hereafter associate with them, in the manner herein prescribed, shall be a body corporate and politic, by the name and style of "The Quiney Union Mutual Insurance Company;" and, Name and style. by that name, may sue and be sued, appear, prosecute and defend, in any court of record or other court or place whatsoever; may have and use a common seal, and alter and Powers. renew the same at pleasure; may purchase and hold such real and personal estate as may be necessary to effect the object of their association, and sell and convey the same at pleasure; may make, establish and put in execution such by-laws, ordinances and resolutions, not being contrary to the laws of this state or of the United States, 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 effect the purposes intended by this act.

§ 2. All persons who shall at any time be insured in this company shall be members thereof, during the continuance in fact of their respective policies, and no longer, and shall at all times be bound by the provisions of this act. Membership.

§ 3. The affairs of said company shall be managed by a Directors. board of directors, to consist of not less than five nor more than fifteen members, as may be regulated by the by-laws of said company. Said directors shall be chosen, by ballot, from among the members of said company. A majority of the whole board shall constitute a quorum for the transaction of business. The executive committee of said company shall possess all the powers of the board of directors, when said board is not in session.

§ 4. The board of directors shall elect a president, vice Officers. president, secretary, and treasurer, who shall hold their respective offices for one year, or longer, as may be determined by the by-laws of said company, and until others are chosen in their places. The board of directors shall, also, appoint an executive committee, to consist of three directors. Subordinate officers, agents and examiners may be appointed by and in the manner prescribed by the by-laws of said company.

§ 5. This company may make insurance on all descrip- Business. tions of property, against loss or damage by fire, lightning, wind, and the risks of inland navigation and transportation; and may cause themselves to be re-insured upon the whole or any part of any risk on which they may have made insurance.

§ 6. The rates of premiums shall be fixed by the board Premium rates. of directors or executive committee of said company. Premium notes may be received from the insured, which shall Premium notes. be paid at such time or times and in such sum or sums as the directors shall require for the payment of losses and expenses. Any person applying for insurance may pay a

definite sum of money in full for said insurance, in lieu of a premium note. The cash premium, together with the premium notes, shall constitute the capital stock of said company.

Assessments.

§ 7. The directors of said company may levy an assessment upon the premium notes, at any time they may deem it necessary, for the payment of losses and expenses.

Members' liabilities.

§ 8. The members of the company shall be and are hereby bound to pay their proportion of all losses and expenses happening and accruing during the time for which their policies were issued, to the amount of their premium note and cash premiums, and no more; and said company shall have a lien against the insurance of all buildings insured, including the right, title and interest of the insured to the lands on which said buildings are situated, for the payment of said premium notes.

Liens.

Statements binding.

§ 9. All statements made on any applications for insurance shall be binding upon the applicant and a warranty upon his, her or their part.

Neglect to pay assessments.

§ 10. Whenever any assessment is made on any premium notes given to said company, and the maker thereof shall neglect or refuse to pay the amount claimed by said company, for the space of thirty days after notice of such assessment, (which notice shall be given in manner prescribed by the by-laws of said company,) his, her or their policies shall become null and void and of no effect; and in case an action is brought for the recovery of any assessment due said company the certificate of the secretary of said company, stating the amount of such assessment, shall be taken and received as *prima facie* evidence in all courts and places whatsoever.

Directors.

§ 11. The persons named in the first section of this act shall be and they are hereby constituted a board of directors for said company, to serve as such until the first annual election of directors herein provided for and until others are chosen. The directors of said company shall be elected on the first Monday in June, in each year; and such election shall be held at the office of said company, at such hour of the day as the directors or executive committee for the time being may appoint. Such election shall be held under the inspection of three members, to be appointed previous to every election by the executive committee of said company. Such election shall be made by a plurality of the votes of the members present, or their proxies, allowing one vote for each policy held by the member offering, and in force at the time of the member offering to vote. The directors or executive committee are hereby authorized, at any meeting, to provide a form for the appointment of proxies and to specify the evidence that may be required of the execution thereof.

Election.

Proxies.

§ 12. All meetings of the board of directors and executive committee to be called in the manner prescribed by the by-laws of said company. Meetings.

§ 13. This company shall have power to issue policies for any term of years, not exceeding ten. Issue policies.

§ 14. The secretary of said company may appoint a deputy, whose powers shall be set forth in his certificate of appointment and entered upon the record book of said company. Deputy secretary.

§ 15. The home office of said company shall be in the city of Quincy, in the county of Adams, and state of Illinois. Home office.

§ 16. If it shall so happen that the election of directors of said company shall not be held on the day when, pursuant to this act, it ought to have been made or held, this company, for that cause, shall not be deemed to be dissolved, but it shall be lawful, on any other day, to make and hold an election—notice of which shall be given in the manner prescribed by the by-laws of said company. Failure to elect directors.

§ 17. All vacancies in the board of directors may be filled by the remaining part of said board from among the members of said company. Vacancies.

§ 18. Unless said company shall organize within two years after the passage of this act, then this act shall be null and void; and nothing in this act shall be construed so as to permit said company to do a banking business, or to exempt said company from the operation of any general law that may hereafter be passed upon the subject of insurance and insurance companies. Limit of law.

§ 19. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Protection Life Insurance Company.

In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James Mitchell, Captain William Young, Andrew P. Long, George Thompson, Peter F. Haber, Doctor Benjamin P. Buckley Doctor Elias C. De Prey, David C. Gross, Jeremiah Patterson, Francis E. Dakin, Gilbert McClayton, and all other persons who may hereafter associate with them, in the manner hereinafter described, shall be and are hereby declared a body politic and corporate, by the name of "The Protection Life Insurance Company;" and, by that name, may contract and be contracted with, sue and be sued, defend and be defended against, and shall be considered a corporation in all courts. Corporators. Name.

Business
powers.

§ 2. The corporation hereby created shall have the power to insure the lives of its respective members, or other persons, and to make all and every insurance appertaining to or connected with life risks, the granting of endowments, and to grant and purchase annuities, and do a general life insurance business, in such manner as the trustees or directors deem proper; and all persons who shall insure with this corporation, and also their heirs, executors, administrators and assigns, continuing to be insured in said corporation, shall hereby become members thereof, except as hereinafter provided.

Duties of mem-
bers.

§ 3. Every person who shall become a member of this corporation, by effecting insurance therein, shall, before he receives his policy, pay the rates that shall be fixed upon and determined by the trustees and directors; and no premium so paid shall ever be withdrawn from said company, except as hereinafter provided, but shall be liable to all the losses and expenses incurred by this company during the continuance of its charter; and an insurance of at least one thousand dollars in amount shall be necessary to entitle any member to a vote.

Trustees.

§ 4. All the corporate powers of said company shall be exercised by a board of trustees or directors; and such trustees or directors may appoint such officers, agents or servants as they may deem proper for the transaction of the business of the company.

First board:

§ 5. The board of trustees or directors shall consist of five or more persons, who shall be members or stockholders of the corporation; and those named in this act shall constitute said board until the first election of trustees or directors of the company, and until others are elected in their places. A majority of the trustees or directors shall be a quorum for the transaction of business. And the said company may make such provisions in respect to by-laws, rules and regulations for the government of the company, as they may deem proper.

Insurance rates

§ 6. The trustees or directors shall determine the rates of insurance and the sum to be insured, and shall invest the premiums as hereinafter prescribed.

Elections.

§ 7. The election of trustees or directors shall be held on the first Monday of April, in each and every year, at such place in the city of Freeport as the board of trustees or directors shall designate of which they shall give at least one week's previous notice in one of the public newspapers printed in the county of Stephenson; and the board of trustees or directors, at the same time, shall also appoint three of the members of said corporation inspectors, to preside at such election; and if any of said inspectors decline or fail to attend the trustees or directors shall appoint others to fill such vacancies, and shall fill any vacancies in

Vacancy.

their number, caused by death, resignation or by removal from the state.

§ 8. The trustees or directors shall elect one of their number president. President.

§ 9. It shall be lawful for said corporation to invest the premiums received for said company in state or United States securities or other securities, satisfactory to the trustees or directors, and to sell, transfer and change the same, and to re-invest the funds of said corporation, whenever the trustees or directors shall deem expedient. Investment of premiums.

§ 10. The whole of the premiums received for insurance by said corporation may be invested in bonds secured by mortgages on unincumbered improved real estate. The real estate or property to secure such investment shall in every case be worth twice the amount loaned thereon. The real estate which it shall be lawful for this corporation to purchase, hold, possess and convey shall be: Investment of whole of premiums.

First.—Such as shall be requisite for its immediate accommodation in the convenient transaction of its business.

Second.—Such as shall have been mortgaged to it, in good faith, by way of security for loans previously contracted or for money due.

Third.—Such as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

Fourth.—Such as shall have been purchased at sales upon judgments, decrees or mortgages obtained or made by such debts. Real estate.

§ 11. The trustees or directors shall have power to invest a certain portion of the premiums received, not to exceed two-thirds thereof, in public stocks of the United States or of this state. Investment in U. S. stock.

§ 12. Suits at law may be maintained by said corporation against any of its members for any cause relating to the business of said corporation. Suits at law may also be prosecuted and maintained by any member against said corporation for the loss by death, if payment is withheld more than three months after the company is duly notified of such loss or losses and satisfactory proof has been made and delivered to the company; and no member of the corporation shall be debarred his testimony as a witness in any such case on account of interest in such suit or of his being a member of said company; and no member of the corporation, not being in his individual capacity a party to such suit, shall be incompetent as a witness in any such suit, on account of his being a member of said company. Suits at law.

§ 13. The officers of said company, at the expiration of three years from the time that the first policy shall have been issued and bear date, and within sixty days thereafter, and during the first sixty days of every subsequent period of three years, shall cause a balance to be struck of the af- Annual balance.

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| Dividends. | fairs of the company, and shall credit each member with an equitable share of the profits of said company; or the trustees or directors may make dividends, annually, if they deem it for the interest of the company to do so; and in case of the death of the party whose life is insured, the amount standing to his credit at the last preceding striking of balance, aforesaid, shall be paid over to the person entitled to receive the same. Any member who would be |
| Delinquents. | entitled to share in the profits who shall have omitted to pay any premium or any periodical payment due from him to the company may be prohibited by the trustees or directors from sharing in the profits of the company. |
| Home office. | § 14. The home office of this company shall be in the city of Freeport, county of Stephenson, at such place as the trustees or directors may designate. |
| Policies—purchase of. | § 15. No policy shall be issued by said company until application shall be made for insurance, in the aggregate, for one hundred thousand dollars, at least. The trustees shall have the right to purchase, for the benefit of the company, all policies of insurance or other obligations issued by said company, and shall pay the amounts due on all policies issued by said company which may become payable by reason of death, within ninety days thereafter: <i>Provided</i> , proof of death having first been made to the said trustees or directors. |
| Proviso. | |
| Privileges of married men. | § 16. It shall be lawful for any married woman, by herself and in her name, or in the name of any third person, with his assent, as her trustee, to cause to be insured, for her sole use, the life of her husband, for any definite period or for the term of his natural life; and, in case of her surviving her husband, the sum or net amount of the insurance becoming due and payable by the terms of the insurance shall be payable to her, to and for her own use, free from the claims of the representatives of her husband or of his creditors; but such exemption shall not apply where the amount of premium annually paid shall exceed three hundred dollars. In case of the death of the wife before the decease of her husband, the amount of insurance may be made payable, after death, to her children, for their use, and to their guardian, if under age. |
| Guarantee fund. | § 17. For the better security, the said company may receive a guarantee fund, to any amount not exceeding two hundred thousand dollars, to be divided into shares of one hundred dollars each, and pay interest on such funds, but not to exceed seven per cent. per annum. And as soon as the assets of the company derived from premiums amount to fifty thousand dollars, the said guarantee fund may be withdrawn by consent of the trustees or directors and said trustees or directors may discontinue the payment of interest on said funds. The owners of the above named fund shall be entitled to one vote for each share at elections of trustees or directors. |

§ 18. The said company may have a common seal, and break, alter or renew the same at pleasure; and shall have power to make re-insurance of any risk or any part of any risk which they may have taken, and may make all such by-laws, rules or regulations not inconsistent with the constitution and laws of this state or of the United States, as may be deemed necessary for the appointment of its officers and agents and the conduct of its affairs in the various cities and towns of this state and of sister states and foreign governments, as the said corporation may deem most for its interest.

Seal, by-laws, rules, etc.

§ 19. Any member of this company shall have the right to vote by proxy as well as in person.

Proxy vote.

§ 20. This act to take effect and be in force from and after its passage.

§ 21. Nothing in this act, shall be construed so as to permit said company to do banking business, or to exempt said company from the operation of any general law that may hereafter be passed upon the subject of insurance and insurance companies.

Banking forbid.

APPROVED March 7, 1867.

AN ACT to incorporate the Downer's Grove Farmers Mutual Insurance Company.

In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That C. Milner, Chas. Schrieber, Jacob Klein, William Vick, George Bretler, and their associates, shall be and the same are hereby created a body politic and corporate, by the name and style of "The Downer's Grove Farmers' Mutual Insurance Company," for the purpose of insuring dwelling houses, household furniture, farm buildings, and other property, against loss or damage by fire; and may, by that name, sue and be sued, appear, prosecute and defend in any court of record or other court in this state. Said company may have and use a common seal, and alter or renew the same at pleasure; may make, establish and put in execution such by-laws, ordinance and resolution, not being contrary to the laws of this state or of the United States, as may be necessary and convenient for their regulation and government and for the management of their affairs; and may do and execute all such acts and things as may be necessary to carry into effect the provisions of this act.

Corporators.

Name and style

Corporate powers.

§ 2. All persons holding policies of insurance in this company shall be members thereof, and entitled to vote upon any matter to be determined by a vote of the company;

Membership.

and a plurality of the votes cast shall be sufficient, and decide any matter voted on.

Directors.

§ 3. The affairs of this company shall be managed by a board of directors, to consist of not less than three nor more than twenty-one, as shall be regulated by the by-laws of said company. Said directors shall be chosen, by ballot, from among the members of the company; and a majority of the whole board shall constitute a quorum for the transaction of business.

Elections.

§ 4. All elections in this company shall be held at such time and place, in the town of Downer's Grove, DuPage county, and be conducted by such officers as the by-laws may determine. Notice of the time and place of holding regular and special meetings of this company shall be published in such manner as the by-laws shall direct. Directors shall hold their offices for one year, and until others are chosen; and vacancies may be filled at any meeting of the company.

Officers, etc.

§ 5. The officers of this company, in addition to the board of directors, shall be a president, secretary and treasurer, to be elected by the company, at the time of electing directors, and to hold their offices for one year, and until others are chosen. The duties as well as the compensation of the officers of this company shall be determined by the by-laws of the company. The directors may appoint such agents and subordinate officers as the by-laws may determine.

Insurance rates

§ 6. The rates of insurance shall be fixed and regulated by the company, and premium notes may be received from the insured, and shall be paid at such times and in such sums as the directors shall from time to time require for losses and expenses; but the directors shall not at any time make a larger assessment on premium votes than is necessary to pay such losses and expenses; and the premium notes shall constitute the capital stock of said company.

Assessments.

Members' liabilities.

§ 7. Members of this company shall be bound and obliged to pay their just proportion of all losses and expenses accruing during the time for which their policies were issued, to the amount of their premium notes, and no more; and if any member shall neglect or refuse to pay his or her assessment, as levied by the board of directors, for more than thirty days after notice of such assessment, then his or her policy shall become void, until such payment is made; but such forfeiture shall not exonerate such person from paying his or her just proportion of all losses and expenses up to the time of such forfeiture.

Applications for insurance.

§ 8. The board of directors may establish rules by which applications for insurance may be in writing, which shall state all material facts and circumstances affecting the risk, and such statement shall be binding upon the insured, and be a warranty on his or her part.

§ 9. It shall be lawful for this company to re-insure any risk or part of risk on which it has made insurance. Re-insurance.

§ 10. For the purpose of preventing delay in the arrangement of losses and preventing vexatious litigation, this company may establish rules for securing fair and impartial arbitrations, in such cases of loss or damage as the insured and directors can not agree upon, and make the award of such arbitration final and binding. Arbitrations.

§ 11. In suits at law between this company and any of its members, any member of the company, not interested further than his or her proportion of loss as a member of the company, shall be deemed a competent witness; and the certificate of the secretary or treasurer, as to the amount of any premium note or assessment on the same or other matter pertaining to the office of such secretary or treasurer, necessary to elucidate the facts in any case pending, shall be deemed *prima facie* evidence of such fact; and if the agent of the company shall so desire, the party suffering loss shall be examined under oath concerning the circumstances of such loss. Suits at law.

§ 12. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void; and nothing in this act shall be so construed as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. Time of organization limited.
Banking prohibited.

§ 13. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Fox River Insurance Company.

In force March
1, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That D. W. Hurd, W. P. Pierce, C. L. Hoyt, A. G. McDole, C. E. Smith, E. Canfield, J. W. Eddy, R. W. Gates, W. S. McMicken, John Hanna, Joseph Ingham, S. G. Paul, David B. Waterman, Lester W. Gray and Morris J. McGrath, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Fox River Insurance Company;" and, by such name, may have perpetual succession, sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended unto; may have and use a common seal, and may renew or alter the same at pleasure; and may purchase hold or convey any estate, real or perso-* Name and style
Powers.

nal, for the use of said company; and may make by-laws, not inconsistent with the laws of this state, for the regulation of its affairs; and, in addition to these general powers, shall have authority, by instrument under seal, or otherwise:

First—To make insurance on all descriptions of property against loss or damage by fire or lightning.

Second—To make insurance on all descriptions of boats and vessels, the cargoes and freights thereof, and on bottomry and respondentia interest, and on personal property, against the perils of marine or inland navigation.

Third—To cause themselves to be re-insured against any risk on which they may have insurance.

Capital stock.

§ 2. The capital stock of said company shall not be less than one hundred thousand dollars, and may be increased to any sum not exceeding one million of dollars, to be divided into shares of one hundred dollars each; and said stock shall be personal property, and be assignable and transferable only on the books of said company and under such regulations as the board of directors may establish.

Subscription.

§ 3. The persons above named, or a majority of them, are hereby appointed commissioners to receive subscriptions to the capital stock of said company, and shall, as soon after the passage of this act as they or a majority of them deem advisable, open books to receive subscriptions to said capital stock; and whenever not less than one hundred thousand dollars of said capital stock shall have been subscribed and not less than ten per cent. thereof actually paid in to said commissioners, in good faith, in cash, and the remaining ninety per cent. secured by mortgages upon unincumbered real estate, worth double the amount secured, or United States bonds, or Illinois state stocks, said company shall be held to be organized under this [act], and be authorized to elect a board of directors and enter upon the transaction of an insurance business.

Officers.

§ 4. The board of directors shall be authorized to elect a president, vice-president, secretary, treasurer and general agent for said company, and such other officers as they may deem proper, and determine the term of office and mode of election of the same; to enact all by-laws, rules and regulations of said company, and to provide for the appointment of all such committees, attorneys, agents and servants, as to said board of directors shall seem proper. The first board of directors shall consist of nine members, all of whom shall be stockholders of said company; and the number of directors may thereafter be increased or diminished by said company, not however, to be less than five nor more than thirty-one; and no person shall be eligible as a director who shall not at the time of his election be the owner, in good faith, of at least five shares of the capital stock of said company; and in all elections, each share of said capital stock

of said company shall be entitled to [one] vote, and stockholders may vote either personally or by proxy.

§ 5. The board of directors shall have power, from time to time, to require the payment of additional installments of said capital stock, until the whole of said capital stock shall be paid in; and each stockholder shall be held liable for the debts of said company for any and all losses and liabilities to the amount of stock held by him, and no more; and the said directors may invest any of said stock or any surplus on hand in any kind of stocks or securities deemed safe, or in real estate, bonds and mortgages, or may loan the same, at any rate of interest not exceeding ten per cent. per annum; and may from time [to time,] make dividends to said stockholders out of the net profits of the business of said company, under such rules as said board may prescribe.

Payment of
stock.

§ 6. The principal office of said company shall be located in the city of Aurora, in the county of Kane; but the officers of said company may appoint such agents in other places as they may deem necessary.

Principal office.

§ 7. Said company shall have power to receive, hold, sell and convey all such property, personal or real, as shall be mortgaged, pledged, sold or conveyed to them, in security or payment of any indebtedness due in good faith to said company, or in any manner, in good faith owing to them or conveyed to them under any sale by virtue of any legal process, decree, judgment or order of any court made for and upon any such indebtedness.

Possession of
property, etc.

§ 8. All policies of insurance issued by said company shall be signed by the president or vice president and secretary, and all such policies shall be valid and binding on said company.

Policies signed
by president.

§ 9. A statement of the true condition of the company shall be made to the stockholders each year, the officers thereof, under oath, testifying to the same, at the time of the annual election for directors.

Annual state-
ment.

§ 10. Unless the said company shall be organized within two years after the passage of this act, it shall be null and void, and nothing herein contained shall be so construed so as to permit said company to do a banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

Construction of
act.

§ 11. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 1, 1867.

In force Feb'y 23, 1867. AN ACT to amend the charter of the Adams Insurance Company of Freeport, Illinois.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be lawful for the Adams Insurance Company of Freeport, Illinois, to receive, at the time of insuring of any person or persons, a note or notes, payable in annual installments, for the cash premium or any part thereof; which note or notes may be in addition to or in lieu of a premium note. If the maker of such note or notes shall neglect or refuse to pay the amount of any installment for the space of thirty days after the same shall fall due by the terms of such note or notes, then and in every such case the policy issued, in whole or part consideration of such note or notes, shall be null and void until the same is or are paid; and if any person or persons making such note or notes shall neglect or refuse to pay any installment for the space of thirty days after the same shall fall due, notice having been given by mail or otherwise of the maturity of said note or notes, then and in every such case the whole note upon which such installment is due shall immediately become due and payable; and the said company may proceed at law and collect the whole note or notes given for and in consideration of any policy of insurance, with costs of suit. Upon the satisfaction of any judgment the policy issued, in whole or part consideration of any note or notes upon which such judgment is rendered, shall become and thereafter be in full force and virtue. Payment of such note or notes shall be made at the office of said company in the manner provided for the payment of assessments upon the premium or deposit notes by the charter and amendments thereto of the said company.
- Notes payable in installments.
- Refusal to pay.
- Policy, when void.
- Refusal to pay installments.
- Suits.
- Payments.
- Principal office—removal of.
- Existence of charter.
- Elections—time, etc.
- § 2. Said company shall have the right, at any time, to remove its principal office to the city of Chicago; and, after such removal, shall have power to do all and everything at the city of Chicago which it may now lawfully do in the city of Freeport.
- § 3. The said company is authorized to continue the business of insurance for the term of thirty years from the termination of this charter; also, to take in any one risk an amount not to exceed twenty thousand dollars.
- § 4. The annual election of directors of said company shall be held at its home office, on the 14, day of March, in each year, except when such day shall fall on Sunday, when such election shall be held on the following Monday. Notice of such election shall be given in a public newspaper in the city where the home office of said [company] is or shall be located at least ten days preceeding to such election.

§ 5. A compensation may be allowed for guarantee capital, not to exceed ten per cent. per annum of the amount subscribed, in lieu of a dividend. Compensation.

§ 6. All [provisions] contained in the act to which this is an amendment conflicting with the provisions of this act is hereby repealed, and this act, together with the several acts to which this act is an amendment, are hereby made public acts; and they shall be liberally construed for the purposes therein mentioned. Repealed provisions.

§ 7. This act and the act to which this is an amendment shall not be construed to exempt said company from the operation of any general law which may be hereafter enacted by the general assembly on the subject of insurance. Construction of act.

§ 8. This act shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to amend the charter of the Farmers' Insurance Company. In force Feb'y 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be lawful for The Farmers' Insurance Company to receive, at the time of insuring of any person or persons, a note or notes, payable in annual installments, for the premium, or any part thereof; which note or notes shall be in addition to or in lieu of a premium note. If the maker of such note or notes shall neglect or refuse to pay the amount of any installment for the space of thirty days, after the same shall fall due by the term or terms of such note or notes, then and in every such case the policy issued in part or whole consideration of said note or notes shall be null and void until the same is or are paid; and if any person or persons making such note or notes shall neglect or refuse to pay any installment for the space of thirty days after the same shall fall due, notice having been given by mail or otherwise of the maturity of said note or notes, then and in every such case the whole note upon which installments is or are due shall become due and payable, and the said company may proceed at law and collect the whole note or notes given for and in consideration of any policy of insurance, with costs of suit. Upon the satisfaction of any judgment, the policy issued in whole or in part consideration of any note or notes upon which suit is brought shall become in full force and virtue. Payment upon such note or notes shall be made at the office of said company, in the manner provided for the payment of assessments upon premium or deposit notes by the charter of said company and the amendments thereto. Notes payable in installments.

Payments.

Suits.

Exemptions.

§ 2. This act and the act to which this is an amendment shall not be deemed to exempt said company from the operation of such general laws as may hereafter be enacted by the general assembly on the subject of insurance.

§ 3. This act is hereby made a public act, and shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

In force Feb'y
28, 1867.

AN ACT to amend an act entitled "An act to incorporate the Great Western Horse Insurance Company to insure against Thieves," approved February 16, 1865.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Great Western Horse Insurance Company, in addition to the powers and privileges granted to it by the act of its incorporation, is hereby authorized and empowered to insure horses, cattle, mules, asses, and live stock generally, against death or accident, or both; and the provisions of the act to which this is amendatory shall, in all respects, apply to the insurance hereby authorized.

Additional
authority
insure. to

Banking busi-
ness prohibited

§ 2. Nothing herein contained shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 3. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

In force Feb'y
28, 1867.

AN ACT to amend an act to incorporate the Pioneer Insurance Company.

Insurance rates.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of directors of said company shall determine the rates of insurance, the sum to be insured on real, personal or mixed property, and the sum to be deposited for the insurance thereof.

Brands.

§ 2. The said company may have and use a common brand for the branding of all live stock insured in said company, in such manner as may be agreed upon between the company and all applicants for insurance therein. Any person or persons who shall use the brand of said company

in the marking of live stock, without the authority and consent of the directors thereof, shall be held to be guilty of a misdemeanor, and shall be liable to a fine of not less than ten nor more than one hundred dollars. The said company may also maintain its action for the recovery of all damages resulting from the unauthorized use of its brand aforesaid.

§ 3. That section twelve (12) of the act to which this is an amendment be amended by inserting after the word "Carroll," in said section, the words "or at the city of Springfield, and county of Sangamon." Amended section.

§ 4. All acts and things done by the directors at their general office, in pursuance of the objects of said corporation, shall be held to be as legally done and mutually binding as if had and done at its home office in the county of Carroll, and state of Illinois. Acts valid, etc.

§ 5. Nothing in this act contained shall in anywise be construed to impair nor interfere with any contracts or indebtedness due or to grow due to or from the corporation created by the act to which this is an amendment. Contracts.

§ 6. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act or in the act of which this is an amendment, shall be construed so as to permit said company to do banking business or exempt said company from the operations of such general laws as may hereafter be passed upon the subject of insurance companies. Organization.

§ 7. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Southern Horse Insurance Company. In force March 1, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George Bickelhaupt, John Z. Quinn and John C. Burroughs, their successors, assigns and associates, be and the same are hereby created a body corporate and politic under the name and style of "The Southern Horse Insurance Company," capable in law and equity in that name, to sue and be sued, to plead and be impleaded, and to do all other matters and things necessary in law to protect and defend its corporate rights; and may have a common seal, which they may change at pleasure. The said company is hereby authorized, by and through its proper agents and officers, to brand all animals by them insured, which brand shall consist of the letters —; and when appearing upon any animal shall be *prima facie* evidence that such animal has been insured in said Corporators.
Name and style
Vested rights.
Brands.

company. It shall not be lawful for any person or persons, other than the regular officers or proper agents of said company, to brand any animal with the brand above described; and for every willful violation of this provision, the offender may be prosecuted in the name of the people of the state of Illinois, before any justice of the peace or public magistrate, who may impose a fine, at his discretion, of not less than ten nor more than fifty dollars.

Capital stock.

§ 2. The capital stock of said company shall not be less than fifty thousand dollars, divided into shares of one hundred dollars each, which said stock shall be deemed personal property and be transferable on the books of the company.

Stock subscription.

§ 3. The persons hereinbefore named are hereby appointed commissioners for procuring subscriptions to the capital stock of said company; and they shall open subscription books in the city of Alton, for such stock; and the said books shall be kept open, from time to time, until said sum of fifty thousand dollars shall have been subscribed. The home office of said company shall be located at the city of Alton.

Officers and directors.

§ 4. When fifty thousand dollars of said stock shall have been subscribed, and ten per cent. actually paid in, said commissioners shall notify the stockholders thereof, and appoint a time and place at which they shall meet and elect not less than three directors, whose duty it shall be to manage the business of said company, and who shall also hold their offices for one year and until others shall be elected in their places. And annually thereafter the board of directors shall be elected by the stockholders of said company, who shall be entitled, in all elections, to cast one vote for each share of stock.

Surrender of funds, etc.

§ 5. When the board of directors of said company shall have been elected, as aforesaid, the above named commissioners shall deliver to said directors the subscription books, moneys collected on subscription, and all other papers and things in their hands necessary to a full organization of said company. And said board of directors shall proceed to

Organization.

organize, by the election of a president and secretary. They may also elect any other officers or agents they may deem necessary for the successful working of said company, who shall hold their offices for one year and until their successors are elected. The board of directors may adopt such by-laws for the general conduct of the business of the company, fix or change the location of the offices thereof, including the principal office, or the amount of capital stock, as they may from time to time deem advisable. They shall also fix the salaries and define the duties of all employees of the company.

Certificates of stock, etc.

§ 6. When the board of directors shall have organized said company, as provided in section five, they shall, by

public or personal notice, of at least ten days, require all unpaid stock to be secured by good and legal stock notes, payable on demand to said company, and shall issue therefor certificates of stock, and setting forth the amount paid in cash and the amount and terms of the notes for the residue.

§ 7. Said company shall have power to issue policies of insurance, insuring against loss by thief or thieves of horses, cattle, mules, asses, and live stock generally; which policies shall be upon the stock plan, and upon such terms and conditions as its board of directors may from time to time determine; and to do all necessary acts and things required in law, to make such policies legal, equitable and binding. All policies of insurance issued by said company shall be signed by the president and secretary. Business and operations.

§ 8. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. Banking business prohibited

§ 9. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 1, 1867.

AN ACT to amend the charter of the National Accident and Life Insurance Company of Decatur, Illinois. In force March 1, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the home office of the National Accident and Life Insurance Company of Decatur, Illinois, may at any time be changed by the stockholders of said company to Chicago, in said state. And all acts and things authorized to be done by said company at Decatur, Illinois, shall be lawful if done at such other place as said stockholders may select. Home office.

§ 2. *Be it further enacted,* that the name of said company may at any time be changed to "Lorillard Life Insurance Company;" and by that name and style retain all the powers and privileges, and be subject to all the restrictions provided in the bill for incorporating the National Accident and Life Insurance Company, of Decatur, Illinois. Name changed.

§ 3. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act or in the act of which this is an amendment shall be construed so as to Organization.

Banking
prohibited.

permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 4. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 1, 1867.

In force Feb'y 25, 1867. AN ACT to amend an act entitled "An act to incorporate the Merchants' Insurance Company."

Directors

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of directors of said company may be composed of any number of persons not exceeding thirty-five.

§ 2. The board of directors of said company may, at any time, determine the number of directors of which the succeeding board shall consist.

Banking
prohibited.

§ 3. And nothing in this act or in the act of which this is an amendment shall be construed so as to permit said company to do a banking business, or exempt said company from the operation of such general laws, as may be hereafter passed upon the subject of insurance companies.

§ 4. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

In force March 7, 1867. AN ACT to incorporate the McDonough County Home Insurance Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That D. Runkle, Joseph Lownes, L. G. Reid, Solomon Kious, Samuel K. Hedrick, James M. Hamilton, John B. Cummings, Amaziah Hanson, Jonathan H. Baker, Joseph Burton, Charles M. Ray, Charles Chandler, William S. Bailey and John S. Wooley and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The McDonough County Home Insurance Company;" and, by such name, may have perpetual succession, may sue and be sued, implead and be impleaded, answer and be answered unto in all courts and places whatsoever; and to have and use a common seal, and to renew and alter the same at pleasure. Said company

Name and style.

Corporate
powers.

shall have power to purchase, hold, enjoy and convey all such real or personal property as shall be necessary for the convenient transaction of the business and affairs of said company, and for the preservation and safe keeping of the books, papers and records of said company; and also to make all such by-laws, rules and regulations, not inconsistent with the constitution and laws of the United States or of this state, as shall be necessary for the proper management, regulation or control of the business or affairs of said company, and amend or repeal the same.

By-laws, etc.

§ 2. Said company shall have power to insure any and all persons, companies and corporations against loss or damage by fire, lightning or wind, to any dwelling house, store, shop, barn, or other buildings, household furniture, merchandise, or other property, whether personal or real, both to persons or property, and against all risks by inland navigation and transportation, of persons or property, including navigation or transportation upon any and all the rivers, canals and lakes within the United States of America, and the several provinces in North America belonging to the government of Great Britain, and also including transportation upon all railroads within the United States and said British provinces; and to do all such acts and things appertaining to such business of insurance as may be necessary for the proper transaction of the same.

Business and operations.

§ 3. The capital stock of said company shall not be less than one hundred thousand dollars, and may be increased to any sum not exceeding eight hundred thousand dollars, to be divided into shares of fifty dollars each; and said stock shall be personal property, and be assignable and transferable only on the books of said company and under such regulations as the directors may establish.

Capital stock.

§ 4. The persons above named, or any five of them, are hereby appointed commissioners to receive subscriptions to the said capital stock of said company, and shall, as soon after the passage of this act as they or a majority of them shall deem advisable, open books to receive subscriptions to said capital stock; and whenever not less than one hundred thousand dollars of said capital stock shall have been subscribed, and not less than ten per cent. thereof actually paid in to said commissioners, in good faith, in cash, and the remaining ninety per cent. secured by mortgage on real estate worth double the amount, or secured by United States or other bonds at their market value, said company shall be authorized to become organized under this act, and to elect a board of directors, and to enter upon the transaction of said insurance business.

Stock subscription.

§ 5. The board of directors shall be authorized to elect a president, vice-president, secretary, treasurer, and general agent for said company, and such other officers as they may deem proper, and determine the term of office and

Officers.

mode of election of the same; to enact all by-laws, rules and regulations of said company, and to provide for the appointment of all such committees, attorneys, agents and servants as to said board of directors shall seem proper. The first board of directors shall consist of nine members, all of whom shall be stockholders of said company; and the number of directors may, thereafter, be increased or diminished by said company, not, however, to be less than five nor more than thirty-one; and no person shall be eligible to the office of director who shall not at the time of his election be the owner, in good faith, in his own right, of at least five shares of the capital stock of the company; and in all elections, each share of said capital stock of said company shall be entitled to one vote.

Directors.

Vote of stockholders.

Certificate of organization.

§ 6. Said company on becoming organized and before transacting any insurance business under such organization, shall file a certificate of such organization, specifying the amount of capital stock subscribed and the amount actually paid in, in cash, and the names of the first board of directors and the term of office for which they were elected; which certificate shall be executed under the hands and seals of said directors, and acknowledged by them before some officer authorized to take the acknowledgments of deeds, and recorded in the office of the clerk of the circuit court of the county of McDonough; and on recording said certificate said company shall be deemed fully organized and entitled to enter upon and exercise and enjoy all the rights and franchises conferred by this act. And said company shall have power to charge and receive for insurance, as provided in this act, such premium or premiums as shall be agreed upon between the parties, either upon the stock or mutual plan, or both.

Premiums for insurance.

Payment of stock.

§ 7. The board of directors shall have power, from time to time, to require the payment of additional installments of said capital stock, until the whole of said capital stock shall be paid in; and each stockholder shall be held liable for the debts of said company for any and all losses and liabilities, to the amount of stock subscribed by him, and no more; and the said directors may cause said capital stock to be invested in the bonds of the United States or this state, or in the stocks of any national bank organized under any law of congress, or in mortgages upon real estate—said land in all cases to be unincumbered and to be worth at least fifty per cent. more than the amount secured thereon; and said company may, under such rules as said directors may prescribe, make dividends to said stockholders out of the net profits of the business of said company.

Liabilities.

Principal office.

§ 8. The principal office of said company shall be located in the city of Macomb, in said county of McDonough, but the officers of said company may appoint such agents in other places as they may deem necessary.

§ 9. Said company shall have power to receive, hold, sell and convey all such property, personal or real, as shall be mortgaged, pledged, sold or conveyed to them in security or payment of any indebtedness due in good faith to said company, or in any manner or in good faith owing to them or conveyed to them under any sale by virtue of any legal process, decree or order of any court, made for and upon any such indebtedness. Possession of property, etc.

§ 10. All policies of insurance issued by said company shall be signed by the president or vice-president and secretary, and all such policies shall be valid and binding on said company. Policies signed.

§ 11. A statement of the true condition of the company shall be made to the stockholders each year—the officers thereof under oath—at time of the annual election of directors. Statements.

§ 12. Unless the said company shall be organized within twelve months after the passage of this act, then this act shall be null and void. And nothing herein contained shall be so construed as to exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. Time of organization limited.

§ 13. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Home Insurance Company of Fulton Illinois. In force March 6, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Chester D. Hooke, John H. Morton, Peter G. Gardner, William F. Hayt, Stephen B. Gomgus, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Home Insurance Company;" and, by such name shall have perpetual succession; may sue and be sued, implead and be impleaded, answer and be answered unto, [in] all courts and places whatsoever; and to have and use a common seal, and to renew and alter the same at pleasure. Said company shall have power to purchase, hold, enjoy and convey all such real or personal property as shall be necessary for the convenient transaction of the business and affairs of said company; and also to make all such by-laws, rules and regulations, not inconsistent with the constitution and laws of the United States or this state, as shall be necessary for the proper management, regulation or control of the business and affairs of said company, and to amend or repeal the same. Corporators.

Name and style

Powers.

Business
powers.

§ 2. Said company shall have power to insure any and all persons, companies or corporations, against loss or damage by fire, lightning, winds, or tornadoes, to any dwelling house, store, shop, or other building, household furniture, merchandise or other property, whether personal or real, and against accidents of every description, and against all risks by inland navigation or transportation; and to do all such acts and things, appertaining to such business of insurance, as may be necessary for the proper transaction of the same.

Capital stock.

§ 3. The capital stock of said company, shall be two hundred thousand dollars, and may be increased to any sum not exceeding five hundred thousand dollars, to be divided into shares of one hundred dollars each; and said stock shall be personal property, and be assignable and transferable only on the books of said company, and under such regulations as the directors may establish.

Subscription.

§ 4. Any three of the above named persons are hereby authorized to receive subscriptions to the capital stock of said company, and shall, as soon after the passage of this act as they may deem advisable, open books to receive subscriptions to said capital stock; and whenever not less than one hundred thousand dollars of said stock shall have been subscribed, and not less than ten per cent. thereof actually paid, in good faith, in cash, and the remaining ninety per cent. secured by United States bonds, national bank currency, or bond and mortgages, or liens on real estate, worth, at cash valuation, twice the amount of said lien, said company be authorized to become organized under this act, and to elect a board of directors, and to enter upon the transaction of said insurance business.

Officers.

§ 5. The board of directors shall be authorized to elect a president, vice president, secretary, treasurer, general agent, and such other officers and agents as they may deem proper, and determine the term of office and mode of election; to enact all by-laws, rules and regulations of said company, and to repeal or amend the same; and to provide for the appointment of all such committees, attorneys, agents and servants, as said board of directors shall deem proper. The first board of directors shall consist of five; all of whom shall be stockholders of said company; and the number of directors, thereafter, may be increased to any number not exceeding fifteen; and no person shall be eligible to the office of director who is not a stockholder in said company at the time of his election; and in all elections each share of the capital stock shall be entitled to one vote.

Certificates of
organization.

§ 6. Said company, on becoming organized, and before transacting any business under such organization, shall file a certificate of such organization, specifying the amount of capital stock subscribed and the amount actually paid in, and the names of the first board of directors, and the term of

office for which they were elected; which certificate shall be executed under the hands and seals of said directors and acknowledged by them before some officer authorized to take the acknowledgments of deeds, and recorded in the office of the clerk of the circuit court of Whiteside county; and, on recording said certificate, said company shall be deemed fully organized, and entitled to enter upon and exercise and enjoy all the rights and franchises conferred by this act; and said company shall have power to charge and receive for insurance, as provided in this act, such premium or premiums as shall be agreed upon between the parties, either upon the mutual or stock plan, or both.

§ 7. The board of directors shall have power, from time to time, to require the payment of additional installments of said capital stock, to be used for the payment of losses only; and each stockholder shall be held liable for the debts of said company for all losses, to the amount of said capital stock and no more; and the said directors may cause said capital stock to be invested in the bonds of the United States, or this state, or in the stocks of any national bank organized under any laws of congress, or in mortgages on real estate—said land, in all cases, to be unincumbered, and worth not less than fifty per cent. more than the amount so secured; and said company may, under such rules as the directors may prescribe, make dividends to said stockholders out of the net profits of the business of said company.

Installments.

Stockholders' liabilities.

Investment of capital stock.

Dividends.

§ 8. The principal office of said company shall be located in the city of Fulton, county of Whiteside, but the officers of said company may appoint such agents in other places as they may deem necessary.

Principal office.

§ 9. Said company shall have power to receive, hold, sell, and convey all such property, personal or real, as shall be mortgaged, pledged, sold or conveyed to them, in security or payment of any indebtedness due, in good faith, to said company, or in any manner in good faith owing to them, or conveyed to them under any sales by virtue of any legal process, decree, or order of any court, made for and upon any such indebtedness.

Possession of property, etc.

§ 10. All policies issued by said company shall be signed by the president or vice president and secretary; and shall be binding and valid on said company.

Policies signed.

§ 11. A statement of the true condition of the company shall be made to the stockholders of said company each year, by the officers thereof, under oath, at the time of the annual election of directors.

Statements.

§ 12. Unless said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act shall be construed so as to permit said company to do a banking business, or exempt said company from the operation of

Time for organization limited.

such general laws as may hereafter be passed upon the subject of insurance companies.

§ 13. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED, March 6, 1867.

In force March
7, 1867.

AN ACT to incorporate the Bloomington Insurance Company.

Corperators.

Name and style.

Powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John M. Scott, John E. McClun, John Magown, Peter Folsom, George W. Parke and Robert E. Williams, their associates and successors, and all such persons as shall become stockholders, be and they are hereby created a body corporate and politic, by the name and style of "The Bloomington Insurance Company." The corporation may have a common seal, and power to appoint all such servants and agents as it may deem necessary, and may make, ordain and establish such by-laws, rules and regulations for the management of its affairs as it may think proper, not inconsistent with the laws and constitution of the United States and the state of Illinois; and, again, at its pleasure, to amend, alter and repeal the same, and to have, possess, and enjoy all those rights, privileges and immunities of any and all other like corporations, and to be recognized in all its rights and powers without pleading the same in all the courts of the state of Illinois.

Capital stock.

§ 2. The capital stock of this company shall be one hundred thousand dollars, with power to increase the same to any sum not exceeding five hundred thousand dollars, by a vote of a majority in interest of the paid stock, of the date of such vote, which shall be divided into shares of one hundred dollars each, and which shall be deemed personal property, and transferable on the books of the company only, under such regulations as may be adopted by the company.

Organization.

§ 3. When a subscription to the capital stock of not less than one hundred thousand dollars, shall have been made and ten per cent. thereof actually paid, in cash, and the other ninety per cent. shall have been secured by a deposit of United States stocks to that amount, at the par value of said stocks, or in mortgages on unincumbered real estate of double the value of the stock so secured, the subscribing stockholders may meet and choose a board of not less than three nor more than nine directors, in whom all the powers of the corporation, not otherwise herein specially limited and provided, shall be vested. The board of directors may choose one of

Officers.

their number a president, and another a vice president, also a secretary, and treasurer, and such other officers and agents as they may deem necessary, and whose qualifications, duties and compensation may be fixed and prescribed in the by-laws, regulations and resolutions of the board of directors, from time to time. The board of directors shall hold their offices for one year, and until their successors are elected and qualified. The term of office of the secretary, treasurer, and other employees shall be fixed by the board of directors. The home office of this corporation shall be at the city of Bloomington, in McLean county, Illinois.

Home office.

§ 4. The said company shall have power to make insurance against loss by fire or any and all kinds of property, real and personal, houses and fixtures; to make insurance and take any and all marine risks, and to fix, charge and receive such rates of premium therefor as may be agreed upon between the parties; and any or either of the risks and insurance, fire or marine, shall be done upon the stock principle.

Business and affairs.

§ 5. The corporation may declare dividends; but all dividends shall be applied in payment of the capital stock subscribed, until the amount subscribed by each shareholder shall have been paid up in full, by the dividends declared upon the stock; and so of the stock subscribed, from time to time; and the capital stock may be called in as may be required by the by-laws.

Dividends.

§ 6. The company may invest any surplus capital or other money on hand in any kind of stocks or other securities deemed safe. The company may own such real estate as may be needful to transact its business; and may take, hold, sell and convey such other real estate as it may deem necessary to secure any loan or debt due by judgment or otherwise. In all cases of loss exceeding the property and paid stock of the company, each shareholder shall be liable, *pro rata*, on the amount and to the amount of unpaid stock due from each.

Invest funds.

Stockholders' liabilities.

§ 7. Said company may establish agencies, and do all such acts, by and through them, according to the powers herein granted, as may be authorized by the by-laws and regulations. The board of directors may fix, determine and prescribe in the by-laws, the manner of making applications, and the terms and conditions of the policy, and the manner of adjusting losses. The board of directors may prescribe the manner in which the unpaid stock shall be secured.

Agencies.

By-laws, etc.

§ 8. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void; and nothing herein contained shall be construed so as to permit said company to do banking business, or exempt said company from the operation of

Time of organization limited.

Banking prohibited.

such general laws as may hereafter be passed upon the subject of insurance companies.

§ 9. This act shall take effect from and after its passage.
APPROVED March 7, 1867.

In force March
7, 1867.

AN ACT to incorporate the Sandwich Fire Insurance Company.

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| Name and style | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That William Patten, Nathaniel Smith, W. L. Simmons, M. B. Castle and Wm. H. Robison, and their associates, successors, and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Sandwich Fire Insurance Company;" and by such name may have perpetual succession; |
| Powers. | may sue and be sued, implead and be impleaded, answer and be answered unto in all courts and places whatsoever; and to have and use a common seal, and to renew and alter the same at pleasure. Said company shall have power to purchase, hold, enjoy and convey all such real or personal property as shall be necessary for the convenient transaction of the business and affairs of said company, and for the preservation and safe keeping of the books, papers and records of the said company; and also to make all such by-laws, rules and regulations, not inconsistent with the constitution and laws of the United States or of this state, as shall be necessary for the proper management, regulation or control of the business or affairs of said company, and amend or repeal the same. |
| Business and operations. | § 2. Said company shall have power to insure any and all persons, companies and corporations, against loss or damage by fire, lightning or wind, to any dwelling house, store, shop or other buildings, household furniture, merchandise or other property, whether personal or real, and against accidents of every description, both to persons or property, and against all risks by inland navigation and transportation, of persons or property, including navigation or transportation upon any and all the rivers, canals and lakes within the United States of America and the several provinces in North America belonging to the government of Great Britain, and also including transportation upon all railroads within the United States and said British Provinces; also, to insure horses, and all kinds of stock of every description against theft; and to do all such acts and things appertaining to such business of insurance as may be necessary for the proper transaction of the same. |
| Capital stock | § 3. The capital stock of said company shall not be less than one hundred thousand dollars; and may be increased |

to any sum not exceeding five hundred thousand dollars, to be divided into shares of one hundred dollars each; and said stock shall be personal property, and be assignable and transferable only on the books of said company, and under such regulations as the directors may establish.

§ 4. The persons above named are hereby appointed commissioners to receive subscriptions to the capital stock of said company, and shall, as soon after the passage of this act as they or a majority of them shall deem advisable, open books to receive subscriptions to said capital stock; and whenever not less than one hundred thousand dollars of said capital stock shall have been subscribed and not less than ten per cent. thereof actually paid in to said commissioners, in good faith, in cash, and the remaining ninety per cent. secured by mortgages upon unincumbered real estate worth double the amount secured, or by United States bonds or Illinois state stocks, said company shall be authorized to become organized under this act, and to elect a board of directors, and to enter upon the transaction of said insurance business. Stock subscrip-
tion.

§ 5. The board of directors shall be authorized to elect a president, vice president, secretary, treasurer, and general agent for said company, and such other officers as they may deem proper; and determine the term of office and mode of election of the same; to enact all by-laws, rules and regulations of said company, and to provide for the appointment of all such committees, attorneys, agents and servants, as the said board of directors shall see proper. The first board of directors shall consist of nine members, all of whom shall be stockholders of said company; and the number of directors may thereafter be increased or diminished by said company, not, however, to be less than five nor more than thirty-one; and no person shall be eligible to the office of director who shall not, at the time of his election, be the owner, in good faith, in his own right, of at least five shares of the capital stock of the company; and in all elections each share of said capital stock of said company shall be entitled to one vote. Officers.

§ 6. Said company, on becoming organized, and before transacting any insurance business under such organization, shall file a certificate of such organization, specifying the amount of capital stock subscribed and the amount actually paid, in cash, and the names of the first board of directors, and the term of office for which they were elected; which certificate shall be executed under the hands and seals of said directors, and acknowledged by them before some officer authorized to take the acknowledgments of deeds, and recorded in the office of the clerk of the circuit court of the county of De Kalb; and, on recording said certificate, said company shall be deemed fully organized and entitled to enter upon and exercise and enjoy all the rights and Directors.

Organization.

franchises conferred by this act; and said company shall have power to charge and receive for insurance, as provided in this act, such premium or premiums as shall be agreed upon between the parties, either upon the stock or mutual plan, or both.

Payment of stock. § 7. The board of directors shall have power, from time to time, to require the payment of additional installments of said capital stock, until the whole of said capital stock shall be paid in; and each stockholder shall be held liable for the debts of said company, for any and all losses and liabilities, to the amount of stock subscribed by him, and no more; and the said directors may cause said capital stock to be invested in the bonds of the United States or this state, or in the stocks of any national bank organized under any law of congress, or in mortgages upon real estate—said land, in all cases, to be unincumbered and to be worth at least fifty per cent. more than the amount secured thereon; and said company may, under such rules as said directors may prescribe, make dividends to said stockholders out of the net profits of the business of the said company.

Principal office. § 8. The principal office of the said company shall be located in the village of Sandwich, in the said county of De Kalb, but the officers of said company may appoint such agents in other places as they may deem necessary.

Property, etc. § 9. Said company shall have power to receive, hold, sell and convey all such property, personal or real, as shall be mortgaged, pledged, sold, or conveyed to them, in security or payment of any indebtedness due, in good faith, to said company, or in any manner, in good faith, owing to them or conveyed to them under any sale by virtue of any legal process, decree or order of any court, made for and upon any such indebtedness.

Policies signed. § 10. All policies of insurance issued by said company shall be signed by the president or vice president and secretary; and all such policies shall be valid and binding on said company.

Annual state-ments. § 11. A statement of the true condition of the company shall be made to the stockholders each year, by the officers thereof, under oath, at the time of the annual election of directors.

Time of organization limited. § 12. Unless the company shall be organized within twelve months after the passage of this act, then this act shall be null and void. And nothing herein contained shall be construed so as to permit said company to do banking business, or exempt said company from the operations of such general laws as may hereafter be passed upon the subject of insurance companies.

Banking business prohibited § 13. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to amend the charter of the Illinois Mutual Fire Insurance Company. In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That,* Subscription.
the directors of the Illinois Mutual Fire Insurance Company are hereby authorized to open books and receive subscriptions for capital stock to said company to the amount of one hundred thousand dollars, with power to increase the same, from time to time, as a majority of the stockholders thereof shall determine, to any amount, not exceeding one million of dollars; which shall be divided into shares of fifty dollars each, and shall be deemed personal property, and transferable only on the books of the company, under such regulations as may be adopted by the directors: *Provided,* Increase of the capital stock.
that the directors shall give notice of their intention to open books, as aforesaid, by publishing a notice, for at least thirty consecutive days prior to the receiving of subscriptions, in one or more papers published in this state, one of which shall be published in the city of Alton, which notice shall set forth the time, terms and place of receiving subscriptions; and the present members of said insurance company shall have a preference in the subscribing for said capital stock. Open books.

§ 2. The stock capital of the company, herein provided for, shall be holden for all the liabilities now owing by said insurance company, as also for all liabilities contracted subsequent to the passage of this act; and the surplus fund of said company, which may exist on the day of the closing of said books, shall be distributed among the then members of said company, within ninety days thereafter, except so much thereof as shall be necessary to re-insure, at a *pro rata* rate, the risks held by said company on the day of the closing of said subscription books. Stockholders — liabilities of.

§ 3. The directors shall have power to prescribe the manner and terms of subscription to the capital stock, power to invest the same and all company funds, in such manner as they shall deem best for the interest and safety of the company, and power to declare dividends. Terms of subscription.

§ 4. When a subscription to the capital stock of one hundred thousand dollars shall have been made and paid, in cash, the company may issue stock policies, insuring on all descriptions of property against loss or damage by fire and the risk of marine and inland navigation and transportation. Stock policies.

§ 5. In the election of directors, each shareholder shall be entitled to one vote for each share of stock holden by him. Vote of stockholders.

§ 6. This act shall be deemed a public act, and shall take effect from and after its passage, and its acceptance by a majority of the members of said company, voting in person

or by proxy, at its annual meeting, to be holden on the fourth Thursday of April next.

Subject to
general laws.

§ 7. This act shall be subject to the provisions of any general law of this state on the subject of insurance or insurance companies.

APPROVED March 7, 1867.

In force March
7, 1867.

AN ACT to incorporate the Bloomington Insurance Company.

| | |
|----------------|---|
| Corporators. | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That John E. McClun, John Magoun, and Peter Folsom, their associates and successors, and all such persons as shall become stockholders, be and they are hereby created a body corporate and politic, by the name and style of "Bloomington Insurance Company." The corporation may have a common seal, and powers to appoint all such servants and agents as it may deem necessary; and may make and ordain and establish such by-laws, rules and regulations, for the management of its affairs, as it may think proper, not inconsistent with the laws and constitution of the United States and the state of Illinois, and, again, at its pleasure, to amend alter and repeal the same, and to have process and enjoy all those rights, privileges and immunities of any and all other like corporations, and to be recognized in all its rights and powers, without pleading the same, in all the courts of the state of Illinois. |
| Name and style | |
| Powers, etc. | |
| Capital stock. | § 2. The capital stock of this company shall be one hundred thousand dollars, with power to increase the same to any sum not exceeding five hundred thousand dollars, by a vote of a majority in interest of the paid stock, of the date of such vote, which shall be divided into shares of one hundred dollars each, and which shall be deemed personal property, and transferable on the books of the company only, under such regulations as may be adopted by the company. |
| Organization. | § 3. When a subscription to the capital stock, of not less than one hundred thousand dollars, shall have been made, and ten per cent. thereof actually paid, in cash, the subscribing shareholders may meet and choose a board of not less than three or more than nine directors, in whom all the powers of the corporation, not otherwise herein specially limited and provided, shall be vested. The board of directors may choose one of their number a president, and another a vice president, also a secretary, and treasurer, and such other officers and agents as they may deem necessary, and whose qualifications, duties and compensation may be |

fixed and prescribed in the by-laws, regulations and resolutions of the board of directors, from time to time. The board of directors shall hold their offices for one year and until their successors are elected and qualified. The term of office of the secretary, treasurer, and other employees, shall be fixed by the board of directors. The home office of this corporation shall be at the city of Bloomington, in McLean county, Illinois. Home office.

§ 4. The said company shall have power to make insurance against loss by fire on any and all kinds of property, real or personal, houses and fixtures; to make insurance and take any and all marine risks, and to charge, fix and receive such rates of premium therefor as may be agreed upon between the parties; and any or either of the risks and insurances, fire or marine, shall be done upon the stock principle. Management of affairs

§ 5. The corporation may declare dividends; but all dividends shall be applied in payment of the capital stock subscribed until the amount subscribed by each shareholder shall have been paid up in full, by the dividends declared upon the stock; and so of the stock subscribed, from time to time. And the capital stock may be called in as may be required by the by-laws. Dividends.

§ 6. The company may invest any surplus capital or other money on hand in any kind of stocks or other securities, deemed safe. The company may own such real estate as may be needful to transact its business, and may take, hold, sell and convey such other real estate as it may be deemed necessary to secure any loan or debt due, by judgment or otherwise. In all cases of loss, exceeding the property and paid stock of the company, each shareholder shall be liable, *pro rata*, on the amount and to the amount of unpaid stock due from each. Investment of funds, etc.

§ 7. Said company may establish agencies and do all such acts by and through them, according to the powers herein granted, as may be authorized by the by-laws and regulations. The board of directors may fix, determine and prescribe, in the by-laws, the manner of making applications, and the terms and conditions of the policy, and the manner of adjusting losses. The board of directors may prescribe the manner in which the unpaid stock shall be secured. Agencies.
By-laws, etc.

§ 8. This act shall be accepted and the company organized thereunder within two years after the passage hereof, otherwise the franchises hereby granted shall be forfeited. Time for organization.

§ 9. This act shall take effect from its passage.

APPROVED March 7, 1867.

In force March 9, 1867. AN ACT to amend the charter of the Citizens' Life Insurance Company.

Organization—time extended. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the time for the organization of said company is hereby extended to such time as the directors named in the charter of said company, or a majority of them, shall think proper to organize the same.

Capital stock—return of. § 2. Said company may retire the capital stock at any time when the accumulated cash assets of said company shall amount to one hundred thousand dollars over and above

Business. the capital stock; and the business of said company may be conducted on the plan of mutual life insurance. The capital stock of said company may consist of bonds and mortgages on real estate, worth twice the amount of such mortgages, United States stocks, state stocks, or indorsed promissory notes.

Name changed. § 3. The name of said company is hereby changed to the "Equitable Life Insurance Company;" and, by that name, said company shall hereafter be known.

Construction of act. § 4. This act shall be deemed a public act, and shall be liberally construed for the purposes therein mentioned, and shall take effect and be in force from and after its passage.

APPROVED, March 9, 1867.

In force March 9, 1867. AN ACT to incorporate the Valley Insurance Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Reuben B. Hatch, Isaac O. Woodruff, Thomas W. Macfall, Alexander E. Wheat, Ebenezer B. Barker, Jackson Grimshaw, Calvin A. Warren, Emerson M. Miller and Warren F. Pitney, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of the "Valley Insurance Company;" and, by such name, shall have perpetual succession; may sue and be sued, implead and be impleaded, answer and be answered unto, in all courts and places whatsoever; and to have and use a common seal, and to renew and alter the same at pleasure. Said company shall have power to purchase, hold, enjoy and convey all such real, personal and mixed property as shall be necessary for the convenient transaction of the business and affairs of said company, and for the preservation and safe keeping of the books, papers and records of said company; and also to make all such by-laws, rules and regulations, not inconsistent

Name and style.

Powers.

ent with the constitution and laws of the United States or of this state, as shall be deemed necessary for the proper management, regulation or control of the business or affairs of said company, and alter, amend or repeal the same.

§ 2. Said company shall have power to insure any and all persons, companies and corporations, against loss or damage by fire, lightning or wind, to any dwelling house, store, shop, or other buildings, household furniture, merchandise, or other property, whether personal, real or mixed, and against all risks by inland navigation and transportation of property, including navigation or transportation upon any and all the rivers, canals and lakes within the United States of America and the several provinces in North America belonging to the government of Great Britain, and also including transportation upon all railroads within the United States and said British provinces; and to do all such acts and things appertaining to such business of insurance as may be necessary for the proper transaction of the same. Business, etc.

§ 3. The capital stock of said company shall not be less than fifty thousand dollars, and may be increased to any sum not exceeding one million dollars, to be divided into shares of one hundred dollars each; and said stock shall be personal property, and be assignable and transferable only on the books of said company, and under such regulations as the directors may establish; of which capital stock, ten per cent. thereof shall be paid, and the payment of the balance secured, either by United States or state bonds or stocks, or mortgage on real estate; and, if secured by mortgage, the property to be worth at least double the amount of the stock intended to be secured thereby, before said corporation shall be authorized to commence business under this act. Capital stock.

§ 4. The persons above named are hereby appointed commissioners to receive subscriptions to the capital stock of said company, and shall, as soon after the passage of this act as they or a majority of them shall deem advisable, open books to receive subscriptions to said capital stock; and whenever not less than fifty thousand dollars of said capital stock shall have been subscribed and not less than ten per cent. thereof actually paid in to said commissioners, in good faith, in cash, said company shall be authorized to become organized under this act, and to elect a board of directors, and to enter upon the transaction of said insurance business. Said commissioners shall give notice of said election for a board of directors at least twenty days previous, in a public newspaper printed in Adams county. Subscription.
Election of directors.

§ 5. The board of directors shall be authorized to elect a president, vice president, secretary, treasurer, and general agent for said company, and such other officers as they deem proper, and determine the term of office and mode of Officers, etc.

First board of directors.

election of the same; to enact all by-laws, rules and regulations of said company, and to provide for the appointment of all such committees, attorneys, agents and servants as to said board of directors shall seem proper. The first board of directors shall consist of nine members, all of whom shall be stockholders of said company; and the number of directors may, thereafter, be increased or diminished by said company, not, however, to be less than seven nor more than eleven; and no person shall be eligible to the office of director who shall not, at the time of his election, be the owner, in good faith, in his own right, of at least five shares of the capital stock of the company; and in all elections each shareholder of said capital stock of said company shall be entitled to one vote for each share of stock of said company he shall hold, and on which all the installments called for by the directors have been paid.

Organization.

§ 6. Said company, on becoming organized, and before transacting any insurance business under such organization, shall cause a certificate of such organization, specifying the amount of capital stock subscribed, and the amount actually paid in, in cash, and the names of the first board of directors, and the term of office for which they were elected, to be executed, under the hands and seals of said directors, and acknowledged by them before some officer authorized to take acknowledgments of deeds, and shall cause the same to be filed in the office of the secretary of state for the state of Illinois, within three months from the time of such organization; and, on the filing of said certificate, said company shall be deemed fully organized, and entitled to enter upon and exercise and enjoy all the rights and franchises conferred by this act. And said company shall have power to charge and receive for insurance, as provided in this act, such premium or premiums as shall be agreed upon between the parties, either upon the stock or mutual plan, or both.

Additional installments—liabilities of stockholders.

§ 7. The board of directors shall have power, from time to time, to require the payment of additional installments of said capital stock, until the whole of said capital stock shall be paid in; and each stockholder shall be held liable for the debts of said company for any and all losses and liabilities, to the amount of stock subscribed by him, and no more; and the said directors may cause said capital stock to be invested in the bonds of the United States or this state, or any other stocks or bonds they deem best for the interest of said company, or in mortgages or deeds of trust upon real estate; and said company may, under such rules as said directors may prescribe, make dividends to said stockholders out of the net profits of the business of said company.

Invest stock.

Principal office.

§ 8. The principal office of said company shall be located in the city of Quincy, in the county of Adams, in

this state; but the officers of said company may appoint such agents or agencies in other places as they may deem necessary.

9. Said company shall have power to receive, hold, sell and convey all such property, personal, real or mixed, as shall be mortgaged, pledged, sold or conveyed to them, in security or payment of any indebtedness due in good faith to said company, or in any manner in good faith to said company, or in any manner, in good faith, owing to them, or conveyed to them under any sale by virtue of any legal process, decree or order of any court, made for and upon any such indebtedness.

Property, etc.—
may hold and
convey.

§ 10. For the purpose of securing the prompt payment of losses and expenses, the directors of this company are authorized to borrow such sum or sums of money as may be required for such purpose; and, in making the next assessment, the interest accruing thereon, and, also, all necessary incidental expenses, shall be included in such assessment. Any director, agent or other person, who shall collect or receive any money or other valuables, belonging to this company, and shall not account for and pay over the same, on demand of said company, any such director, agent or other person, on conviction of the same, shall be deemed guilty of embezzlement, and punished as provided for by the statutes of this state.

Borrow money.

§ 11. All policies of insurance issued by said company shall be signed by the president or vice president and secretary; and all such policies shall be valid and binding on said company.

Policies signed.

§ 12. A copy of any record of this company, under the seal of the company, and certified to by the secretary, shall be taken as *prima facie* evidence thereof, in any court tribunal in this state, upon the subject matter contained therein.

Evidence of re-
cord.

§ 13. A statement of the true condition of the company shall be made to the stockholders each year, by the officers thereof, under oath, at the time of the annual election of directors.

Annual state-
ment.

§ 14. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing herein contained shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

Limit of law.

Banking forbid.

§ 15. This act shall be deemed a public act, and shall take effect and be in force from and after its passage,

APPROVED March 9, 1867.

In force March
8, 1867.

AN ACT to incorporate the Mokena Insurance Company.

- SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That from the time that this act shall take effect, Abraham T. Green, Edwin R. Moffatt, Hollis Jewell, Isaac R. Hitt, and Alexander Campbell, and all other persons who may hereafter associate with them, in the manner herein prescribed, shall be a body politic and corporate, by the name and style of “The Mokena Insurance Company;” and by that name and style may sue and be sued, appear, prosecute and defend, in any court of record or other court or place whatsoever; may have and use a common seal, and alter and renew the same at pleasure; may purchase and hold such real estate and personal estate as may be necessary to effect the objects of their corporation and association, and sell and convey the same at pleasure; may make and establish such by-laws, ordinances and resolutions, not being contrary to the laws of this state or of the United States, as may seem necessary or convenient for their regulation and government and for the management of their affairs, and do and execute such acts and things as may be necessary to carry into effect the purposes of this act.
- Corporators.**
- Name and style**
- Corporate powers.**
- Membership.** § 2. All persons who shall at any time be insured in this company shall be members thereof, during the continuance in force of their respective policies, and no longer, and shall at all times be bound by the provisions of this act.
- Directors.** § 3. The affairs of said company shall be managed by a board of directors, to consist of not less than five or more than fifteen members, as may be regulated by the by-laws of said company. Said directors shall be chosen by ballot, from among the members of said company; and a majority of the whole board shall constitute a quorum for the transaction of business. The executive committee of said company shall possess all the powers of the board of directors, when the board is not in session.
- Officers.** § 4. The board of directors shall elect a president, vice president, secretary and treasurer, who shall hold their respective offices for one year, or longer, as may be prescribed by the by-laws of said company, and until others are chosen in their places. The board of directors shall also appoint an executive committee to consist of three directors. Subordinate officers, agents and examiners may be appointed by and in the manner prescribed by the by-laws of said company.
- Business and transactions.** § 5. This company may make insurance on all descriptions of property against loss or damage by fire, lightning, wind and the risks of inland navigation and transportation, or any loss or damage to which property may be liable, and may cause themselves to be re-insured upon the whole

or any part of any risk on which they may have made insurance.

§ 6. The rates of insurance shall be fixed by the board of directors or executive committee of said company. Premium notes may be received from the insured, which shall be paid at such time or times, and such sum or sums as the directors shall require for the payment of losses and expenses. Any person applying for insurance may pay a definite sum of money, in full for said insurance and in lieu of a premium note. The cash premium, together with the premium notes shall constitute the capital stock of said company, which may be increased by a guarantee capital, as hereinafter provided.

Insurance rates.
Premium notes.

Payment for insurance.

Capital stock,

§ 7. The directors of said company may levy an assessment on the premium notes at any time they may deem it necessary for the payment of losses and expenses.

Assessments—
liabilities of
stockholders.

§ 8. The members of this company shall be and are hereby bound to pay their proportion of all losses and expenses happening and accruing, the time for which their policies were issued and in force, and to the amount of their premium notes, and no more.

§ 9. Whenever any assessment is made upon any premium note given to said company, and the maker thereof shall neglect or refuse to pay the amount claimed by said company for the period of thirty days after notice of such assessment, (which notice shall be given in the manner prescribed by the by-laws of said company,) his, her or their policy shall become null and void and of no effect, until payment is made; and action may be brought at law for the whole amount of premium note; and in case an action is brought for the recovery of any assessment due this company, the certificate of the secretary of said company, stating the amount of such assessment, shall be taken and received as *prima facie* evidence in all courts and places whatsoever.

Refusal to pay.

Suits.

Evidence of assessments.

§ 10. The persons named in the first section of this act shall be and they are hereby constituted a board of directors for said company, to serve as such until the first annual election hereinafter provided for and until others are chosen.

Directors.

§ 11. The directors of said company shall be elected on the first Tuesday of January, of each year; and such election shall be held at the office of said company, at such hour of the day as the directors or executive committee of said company may appoint. Such election shall be held under the inspection of three members, to be appointed previous to every election, by the executive committee of said company. Such election shall be made by a plurality of votes of the members present, or their proxies, allowing one vote for each policy held and in force, or share of guarantee stock held. The directors or executive committee are hereby authorized, at any of their meetings, to provide a form for

Election for
directors.

the appointment of proxies, and to specify the evidence that may be required of the execution thereof.

Meetings. § 12. All meetings of the board of directors and executive committee shall be called in the manner prescribed by the by-laws of said company.

§ 13. This company shall have power to issue policies for any term of years.

Deputy secretary. § 14. The secretary of the company may appoint a deputy, whose power shall be set forth in his certificate of appointment, and be extended upon the record books of said company.

Use of funds. § 15. This company, through its officers or board of directors, may invest, loan and employ the funds of the company in such way and manner as they may judge that the interest and welfare of the company may require.

Place of office. § 16. The principal place of business of the company shall be the city of Freeport, Stephenson county, Illinois; and said company may do business at such other places, by agents, as said company may elect.

Guarantee mortgages. § 17. For the more perfect security of the policy-holders, the said company shall receive guarantee mortgages on unincumbered real estate worth double the amount secured, to be approved by the board of directors or by the executive committee, or United States or state stocks, to the amount of two hundred thousand dollars; the makers thereof shall be paid, in consideration of such guarantee, a compensation, to be determined by the board of directors or executive committee, but not to exceed ten per cent. per annum. Such notes or mortgages shall be entitled to representation in the election of directors, in the ratio of one vote for every one hundred dollars, and shall be liable for the losses and expenses of the company, whenever the cash premiums and premium notes are insufficient to pay the same. Scrip certificates may be issued for such guarantee fund, transferable only on the books of the company.

Liabilities § 18. Should it so happen that the election of directors of said company shall not be held on the day set forth in this act it should have been made or held, the company, for that cause, shall not be deemed to be dissolved, but it shall be lawful, on any other day, to make and hold an election, notice of which shall be given in the manner prescribed by the by-laws of said company.

Directors—failure to elect § 19. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void; and nothing in this act shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

Time to organize limited. Banking forbid. § 20. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 8, 1867.

AN ACT to incorporate the Burglary Insurance Company.

In force March
8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Harlan Page, E. D. Marsh, R. B. Currier, A. Gibson, G. D. Jewitt, Charles L. Currier, and A. Page, and all others who may become associated with them as stockholders, as herein after provided, their successors and assigns forever, be and they are hereby created and made a body corporate and politic, for the purposes of insuring against all loss or damage by burglary or theft, and such other kinds of insurance as the board of directors of said company shall deem expedient, by the name of the "Burglary Insurance Company;" and, by that name, shall be and are hereby empowered to purchase, have, hold, possess and enjoy, themselves and their successors, lands, tenements, hereditaments, goods, chattels and effects, of every kind. The same to grant, alien, sell, invest and dispose of; to sue and be sued, plead and be impleaded, in all courts of justice; to have and use a common seal, and the same to change, alter and renew at pleasure; and cause themselves to be re-insured on the whole or part of any risk assumed by said company; and to ordain and put in execution such by-laws and regulations as they may deem proper for the well ordering and government of the said company and the transaction of its business: *Provided*, they be not repugnant to the laws of the United States or of this state.

§ 2. The capital stock of said company shall not be less than fifty thousand dollars, and may be at any time, increased to not exceeding five hundred thousand dollars, and shall be divided into shares of one hundred dollars each; and there shall be paid into the treasury of said company, by each subscriber to the capital stock, at the time of subscribing for the same, an installment of five per cent. on the amount by them subscribed for, and further installments may be call from time to time, by the board of directors, and the remainder of the said shares, so subscribed for, shall, within sixty days after the organization of the said company, be secured to be paid, either by bonds and mortgages on real estate of double its value on amount secured.

3. The capital stock of said company shall be transferable, according to the rules and regulations of such company; and if any subscriber of any share or shares of said stock shall neglect or refuse to pay the installments, as aforesaid, for the space of sixty days after the same shall become due, as required, and after he or they have been notified thereof, according to the by-laws of said company, the amount already paid by such negligent stockholder shall be forfeited to the use of said company, and the stock by him subscribed shall be sold at auction or disposed of in such manner as

the board of directors may deem for the best interest of said company.

Contracts of insurance.

§ 4. Contracts of insurance may be made on such terms and conditions and for such periods of time as may be agreed upon; and, in case a note is given for the cash premium and the same shall be due and unpaid at the time any loss or damage shall occur to the assured, the policy issued in part or whole consideration of such note or notes, shall be null and void. All contracts signed by the president and secretary, or by a majority of the executive committee of said company, shall be as valid as though made or signed by the board of directors of said company.

Home office.

§ 5. The home office of said company shall be located in the city of Chicago, or city of Springfield, in the state of Illinois, as the board of directors may determine. And

Management of affairs.

the stock, property and affairs of said company shall be managed and conducted by not less than five nor more than fifteen directors—the number of directors to be determined by the by-laws of said company. The directors of said company shall be chosen from among the stockholders of said company, in such manner and at such times as may be determined by the by-laws of said company. And in case of any vacancy, by death, resignation or other cause, in the board of directors of said company, the remaining directors shall have power to fill such vacancy, by appointment; and the director thus appointed shall hold his office until the next regular election, as provided by the by-laws of the company. In all elections for directors of said company each stockholder, by himself or attorney, shall be allowed one vote for each and every share so held by him; and none but stockholders shall be eligible to the office of director.

Directors.

§ 6. To carry out the provisions of this act, the corporators hereinbefore named are hereby constituted the first board of directors of said company, and shall hold their office until an election be had according to the by laws of said company; and they, or a majority of them, are authorized to open books and receive subscriptions to the capital stock of said company; and when the amount of fifty thousand dollars shall have been subscribed, according to the requirements of this charter, the board of directors shall cause publication to be made in a newspaper published in the city of Chicago, of the full and complete organization of said company; and it shall be lawful for said company to commence business immediately on the publication of notice as aforesaid.

Subscription.

Organization.

Officers.

§ 7. The board of directors shall choose a president, vice-president, secretary and treasurer, whose term of office and several duties shall be defined and set forth by the by-laws of said company; and they shall appoint such other officers, clerks and agents and establish such agencies in

the state and elsewhere as shall be by them deemed advisable for conducting the business of the company; and the president, vice-president and treasurer shall be chosen from and by the directors of said company.

§ 8. All policies of insurance or other contracts may be made with or without the seal of said company, and shall be binding upon said company according to the true intent and meaning of such policies and contracts. Contracts,

§ 9. The board of directors may appoint three of their number an executive committee, who shall possess all the powers of the board of directors, when the board of directors are not in session. Such executive committee shall have power to execute contracts for salaries or fees to officers and agents. Executive committee.

§ 10. The capital stock, moneys and real estate of the company may be invested and re-invested, at the discretion of the board of directors: *Provided*, that nothing herein contained shall be so construed as to authorize the business of banking. Investment of capital stock.

§ 3. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act shall be construed so as to exempt said company from the operation of such general laws, as may hereafter be passed upon the subject of insurance companies. When to organize.

§ 4. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 8, 1867.

AN ACT to incorporate the Western Rail Road Insurance Company.

In force March 9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, [That] Maurice J. McGrath, C. E. Smith, Henry B. Pierce, Wm. F. Brewster, and Charles C. P. Holden, their associates and successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Western Rail Road Insurance Company;" and, by such name, may have perpetual succession; may sue and be sued; implead and be impleaded, answer and be answered unto, in all courts and places whatsoever; and to have and use a common seal, and to renew and alter the same at pleasure. Said company shall have power to purchase, hold, enjoy and convey all such real and personal property as shall be necessary for the convenient transaction of the business and affairs of said company, and for the preservation and safe-keeping of the books, papers and records of said company, Corporators.

and also to make all such by-laws, rules and regulations, not inconsistent with the constitution and laws of the United States or of this state, as shall be necessary for the proper management, regulation or control of the business or affairs of said company, and amend or repeal the same.

Business trans-
actions and
operations.

§ 2. Said company shall have power to insure any and all persons, companies and corporations against loss or damage by fire, lightning or wind, to any dwelling house, store, shop or other buildings, household furniture, merchandise or other property, whether personal or real, and against all risks by inland navigation and transportation upon any and all rivers, canals and lakes, within the United States of America and the several provinces in North America belonging to the government of Great Britain, and also including transportation upon all railroads within the United States and said British Provinces; and to do all such acts and things appertaining to such business of insurance as may be necessary for the proper transaction of the same.

Capital stock.

§ 3. The capital stock of said company shall not be less than one hundred thousand dollars, and may be increased to any sum not exceeding five hundred thousand dollars, to be divided into shares of one hundred dollars each; and said stock shall be personal property, and be assignable and transferable only on the books of said company, and under such regulations as the directors may establish.

Subscription to
stock.

§ 4. The following persons, to wit: Maurice J. McGrath, C. E. Smith, and Wm. F. Brewster, or a majority of them, are hereby appointed commissioners to receive subscriptions to the capital stock of said company; and shall, as soon after the passage of this act as they or a majority of them shall deem advisable, open books to receive subscriptions to said capital stock; and whenever not less than one hundred thousand dollars of said capital stock shall have been subscribed and not less than ten per cent. thereof actually paid in to said commissioners, in good faith, in cash, and the remaining ninety per cent. secured by mortgage on unincumbered real estate, worth double the amount secured, or by United States bonds or Illinois state bonds, or other stock, at their par value, said company shall be authorized to become organized under this act, and to elect a board of directors, and to enter upon the transaction of said insurance business.

Organization.

President.

Officers.

By-laws.

First directors.

§ 5. The board of directors shall be authorized to elect a president, vice president, secretary, treasurer, and general agent, for said company, and such other officers as they may deem proper, and determine the term of office and mode of election of the same; to enact all by-laws, rules and regulations of said company, and to provide for the appointment of such committees, attorneys, agents and servants, as to said board of directors shall seem proper. The first board of directors shall consist of nine members, all of

whom shall be stockholders of said company; and the number of directors may thereafter be increased or diminished by said company, not however, to be less than five nor more than thirty-one; and no person shall be eligible to the office of director who shall not, at the time of his election, be the owner, in good faith, in his own right, of at least five shares of the capital stock of the company; and, in all elections, each share of said capital stock of said company shall be entitled to one vote.

§ 6. Said company, on becoming organized, and before transacting any insurance business under such organization, shall file a certificate of such organization, specifying the amount of capital stock subscribed, and the amount actually paid in in cash, and the names of the first board of directors, and the term of office for which they were elected; which certificate shall be executed under the hands and seals of said directors, and acknowledged by them before some officer authorized to take the acknowledgments of deeds, and recorded in the office of the clerk of the circuit court of the county in which said company shall be located; and, on recording said certificate, said company shall be deemed fully organized and entitled to enter upon and exercise and enjoy all the rights and franchises conferred by this act; and said company shall have power to charge and receive for insurance, as provided in this act, such premium or premiums as shall be agreed upon between the parties, either upon the stock or mutual plan, or both.

Certificate of organization.

§ 7. The board of directors shall have power, from time to time, to require the payment of additional installments of said capital stock until the whole of said capital stock shall be paid in; and each stockholder shall be held liable for the debts of said company for all losses and liabilities to the amount of stock subscribed by him, and no more; and the said directors may cause said capital stock to be invested in the bonds of the United States or this state, or in the stocks of any national bank organized under any law of congress, or in mortgages upon real estate—said land in all cases to be unincumbered and to be worth at least fifty per cent. more than the amount secured thereon. And said company may under such rules as said directors may prescribe, make dividends to said stockholders out of the net profits of the business of said company.

Installments.

Investment of capital stock.

§ 8. The principal office of said company shall be located in the city of Chicago, or in the city of Aurora, or in the town of Batavia, as the directors of said company may elect; but the officers of said company may appoint such agents in other places as they may deem necessary.

Principal office.

§ 9. Said company shall have power to receive, hold, sell or convey, all such property, personal or real, as shall be mortgaged, pledged, sold or conveyed to them in security for payment of any indebtedness due, in good faith, to

Property.

said company, or in such manner, in good faith, owing to them, or conveyed to them under any sale by virtue of any legal process, decree or order of any court, made for and upon any such indebtedness.

Re-insurance. § 10. Said company may re-insure any risk or any part of any risk on which they have made insurance.

Policies signed. § 11. All policies of insurance issued by said company shall be signed by the president or vice president and secretary, and such policies shall be valid and binding on such company.

Annual statements. § 12. The statement of the true condition of the company shall be made to the stockholders, each year (the officers thereof under oath), at the time of the annual election of directors.

When to organize. § 13. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing herein contained shall be

Banking business prohibited. construed so as to permit said company to do banking business, or exempt said company from the operations of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 14. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 9, 1867.

In force March 8, 1867. AN ACT to incorporate the American Mutual Health Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That J. G. King, J. Jones, William Root, H. West, D. Eddy, A. H. Potter, their associates, successors and assigns, be and are hereby created a body corporate, by the name and style of "The American Mutual Health Insurance Company;" and shall have perpetual succession; and, as such corporation, may sue and be sued, in any court of competent jurisdiction; and any member of the company shall be a competent witness in any case, either for defence or prosecution, notwithstanding his interest in the company. The business of the company shall be insuring the health of persons who may become members of the company.*

Business. When to commence business. § 2. The company shall not commence business until a guarantee capital of twenty-five thousand dollars shall have been paid in, as the directors shall prescribe; and, thereafter, the mutual stock capital may be increased by the issuing of one share of stock to each policy holder with ten per cent. upon such amount of stock paid in cash; and the remainder of such capital as is represented by any and all

such certificates of stock may be called in by the directors, at such times and in such sums as they may order. The capital stock of the company shall be divided into shares of twenty-five dollars each, and certificates issued therefor, signed by the president and secretary of the company. Capital stock.

§ 3. The directors may make preferred dividends, as the business of the company shall warrant, to the guarantee stock, and may cancel and take up such guarantee stock at such times as in their judgment it shall be for the interests of the company. Dividends.

§ 4. There shall be an annual meeting of the stockholders of the company, at the office of the company, in Chicago, on the first Monday of April, in each year, at which time five directors shall be elected to serve for one year or until their successors be chosen. Twenty-five thousand dollars of stock, represented by ownership or proxy, at any meeting of the corporation, shall constitute a quorum for transacting business; and at all meetings of the board of directors a majority of the board present shall constitute a quorum. Annual meeting
Quorum.

§ 5. All policies of insurance, or renewed certificates, or certificates of stock issued by the company, shall be signed by the president and secretary. Policies signed.

§ 6. The directors shall elect from their own members all such officers as they may see fit, and may appoint and cause to be appointed such other officers or agents as the business may demand. Officers.

§ 7. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. When to organize.
Banking forbid.

§ 8. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 8, 1867.

AN ACT to amend the charter of the Illinois Central Insurance Company. In force March 8, 1867.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Illinois Central Insurance Company is hereby authorized to receive for all policies of insurance to be hereafter issued, as premiums, a fixed sum, to be agreed upon by and between the parties; and said company is hereby authorized to make, put in force and execute all such rules, regulations Fixed sums for policies.
By-laws, etc.

Plan of business and by-laws, not inconsistent with the laws of this state or of the United States, as it may deem necessary for the proper conducting and carrying on of its business of insurance, and for the better securing of its policy holders, and for the general management of its concerns; and to adopt such plans and modes of procedure, in carrying on said business, as shall not conflict with this act or the act to which this is an amendment, or the laws of this state or of the United States.

Removal of principal office

§ 2. Said company shall have power, by vote of two-thirds of the directors of said company, to remove the principal office of said company to the city of Chicago, in the state of Illinois; and after such removal said company shall be authorized to do any and all things in said city of Chicago which it may now lawfully do in the city of Decatur; and from and after such removal said company shall be known as "The Illinois Central Insurance Company, of Chicago."

Style of corporation.

Not subject to general insurance laws.

§ 3. Neither this act nor the act to which this is an amendment, shall be construed to exempt said company from the operation of all such general laws as the general assembly may hereafter enact on the subject of insurance.

§ 4. This act and the act to which this act is an amendment are hereby made public acts, and this act shall take effect and be in force from and after its passage.

APPROVED March 8, 1867.

In force March 8, 1867. AN ACT to incorporate the Pulaski County Insurance and Loan Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That N. R. Casey, G. F. Meyer, H. G. Carter, W. C. Sheole, William A. Hughes, John W. Carter, W. H. Stokes, O. Edson and James P. Marshall, and their successors, assigns and associates, be and are hereby created a body corporate and politic, under the name and style of "The Pulaski County Insurance and Loan Company," situated at Mound City, Illinois; and by that name, shall have and enjoy all the rights, privileges and immunities which are necessary for the transaction of their business, and be recognized in all the courts of justice and equity in this state. When the said party and their associates shall have subscribed one hundred thousand dollars, divided into shares, to be paid in installments, in such amounts and at such times and places as the president and directors, (as hereinafter provided for,) of said company may designate, and shall have paid in as a company fund ten thousand dollars, and shall and may

Corporators.

Name and style.

Privileges, etc.

Organization.

increase the capital stock to three hundred thousand dollars. The said company may employ traveling agents, and establish local agencies, and do all acts, not inconsistent with the laws of this state, necessary to and for the full use and enjoyment, and to carry out the full objects of this act: *Pro-* Proviso.
vided, that if the corporation created by this act shall not be organized within one year from the date of the passage of this act, then this act shall be null and void; and no stock shall be subscribed to the capital stock of said company until at least four of the persons in this section named shall have given notice, in writing, to the other persons herein named, for at least ten days, of the time and place when and where the books of subscription will be opened: *Provided*, all of the persons herein named may, Proviso.
 by agreement, meet together, in person or by proxy, and open the books of subscription.

§ 2. Nothing contained in this act shall prohibit the Transfer stock
 transfer of stock to a second or third party: *Provided, al-*
ways, that the parties to whom the transfer is made complies
 with the requirements made of original stockholders.

§ 3. The president and directors shall have power to Constitution and by-laws.
 adopt a constitution and such by-laws as may be necessary
 to promote the interest of said company, according to the
 laws of this state and of the United States.

§ 4. The said company may use a seal, which they may Seal.
 alter and change at pleasure.

§ 5. Unless the said company shall be organized within When to organ-
 two years after the passage of this act, then this act shall ize.
 be null and void. And nothing in this act shall be con- Banking forbid.
 strued so as to permit said company to do banking business,
 or exempt said company from the operation of such general
 laws as may hereafter be passed upon the subject of insu-
 rance companies.

§ 6. This act shall be deemed a public act, and shall
 take effect and be in force from and after its passage.

APPROVED March 8, 1867.

AN ACT to amend the charter of the Illinois State Insurance Company. In force March 9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Illinois State Insurance Company shall have the power to remove the principal office of said company from the city of Springfield to the town of Lena, Stephenson county, Illinois; and after such removal said company shall have power to do and transact at said town of Lena everything which, by virtue of its charter, it may now do at the city of Springfield. Removal of principal office

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| Insurance of domestic animals. | § 2. Said company shall have power to insure the owners of all domestic animals against loss or damage, by reason of the death, disease, injury to or theft of such animals, and to insure all risks appertaining to live stock insurance. |
| Policies—installments. | § 3. Said company is hereby authorized to provide for the payment of the premium to be charged for policies issued by said company, in annual installments, of which installments the first shall be payable in advance. |
| Powers, etc., continued. | § 4. All the rights, powers, privileges and franchises granted by the act to which this is an amendment are hereby continued to said company; but neither this act nor the act to which this is an amendment shall be construed to exempt said company from the operation of such general laws as may be hereafter by the general assembly passed on the subject of insurance; nor shall said company be authorized to do a banking business. |
| Subject to general insurance laws. | § 5. This act shall be deemed a public act, and shall take effect from and after its passage. |
| Banking forbid. | APPROVED March 9, 1867. |

In force March 8, 1867.

AN ACT to incorporate the International Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That there shall be established in the city of Mattoon, an Insurance Company, to be called "The International Insurance Company."*

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| Name and style | § 2. All such persons as may 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 International Insurance Company," and to continue fifty 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 in all matters whatsoever. |
| Powers. | |

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| Seal and by-laws | § 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 said corporation and the prudent and efficient management of its affairs. No by-laws, ordinances or regulations of the same shall be in anywise contrary to the constitution of the United States or of this state. |
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§ 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 installments 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 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 incorporation, to be subscribed for and taken under the direction and superintendence of the president and directors aforesaid, or by any person or persons duly appointed by a majority of said directors, in the same manner as is provided for the subscription to the original capital stock. The stock of said incorporation shall be assignable and transferable according to such rules as shall be adopted in that behalf by the by-laws and ordinances thereof.

Capital stock—
increase of.

Capital stock
transferable.

§ 5. The corporation hereby created shall have power and authority to make marine insurance upon vessels, goods and merchandise, freights, moneys transmitted by mail or otherwise, bottomry, respondentia interest, and on all marine risks and inland navigation and transportation, and against all losses by fire of any building or houses whatsoever, and vessels on the stocks; and they may also cause themselves to be re-insured against any marine risks upon which they may have made insurance, and upon the interest which they may have in any vessels, goods or merchandise or houses, in virtue of any such insurance, whether on bottomry, respondentia, or otherwise, on such terms or conditions as may be agreed upon by the parties, and to fix the premiums and times of payment.

Marine insur-
ance.

§ 6. All policies of insurance by them made shall be subscribed by the president, or, in case of his death or absence, by the vice president, and countersigned by the secretary of said company; and all losses arising under any policies so subscribed and countersigned may be adjusted and settled by the president and board of directors.

Policies signed.

§ 7. The said corporation shall not take any risk nor subscribe any policy by virtue of this act until one-tenth part of the capital stock thereof shall have been actually paid in and the remainder secured by mortgages upon unincumbered real estate worth double the amount secured, or by United States bonds or Illinois state bonds. The said company shall not, directly or indirectly, deal or trade in buying or selling any goods, wares or merchandise whatsoever; but the president and directors may, at their option, vest the capital stock of said corporation in the 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

Risks.

Investments of
stock.

real estate, or other satisfactory security, at their discretion, at such rate of interest or discount as any individual is now or may hereafter be authorized to loan by contract.

Real estate.

§ 8. The said corporation may purchase and hold such real estate as may be deemed necessary for the transaction of its business, and an amount not at any time exceeding thirty thousand dollars; and to take and hold any real estate or securities, mortgaged or pledged, of the said corporation, to secure the payment of any debt due or to 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 or otherwise; to take and receive any real estate in payment or towards satisfaction of any debt previously contracted or due to the corporation, and to hold the same until they can conveniently and advantageously sell and convert the same to money, or other personal property, and to sell and convey said real estate, or any part thereof: *Provided*, the said corporation shall be compelled to offer, in good faith, the said real estate once in every five years, at public auction, to the highest bidder.

Proviso.

Subscription to stock.

§ 9. C. M. Dole, E. Noyes, J. W. True, R. Champion, and J. Toles, 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 on the first Monday of April, in the year of our Lord one thousand eight hundred and sixty-seven, in the city of Mattoon, and such other places as they may think proper, or any other time and place, by giving twenty days' notice of the time and place in the newspaper published in the city of Mattoon; and the sum of two dollars on each share subscribed for shall be paid to said commissioners at the time of making such subscriptions. 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 said board 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.

Commissioners
—quorum of.

§ 10. 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.

Management of
stock property,
etc.

§ 11. The stock, property and concerns of said incorporation shall be managed and conducted by seven directors, who shall be chosen by the stockholders of said company, under the superintendence of the commissioners, or a majority of them, and who shall hold their offices for one

year, unless others shall be chosen before the expiration of that time, and who 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.

§ 12. 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 city of Mattoon, 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. Election of directors.

§ 13. All elections shall be by ballot, allowing one vote to each share of the capital stock; and the five 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 elected shall proceed, by 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; and whenever any vacancy shall happen for the office of president, vice president, or director, 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, as provided for by this act, to superintend elections, shall certify, under their hands and seals, the person elected, and deliver such certificates to the persons so elected or to some one of them; and if through any unavoidable accident said directors shall not be chosen on the first Monday, as afore said, it shall be lawful to choose them on any other day, in the manner herein provided. Elections.
Vacancy.
Certificates.
Failure to elect.

§ 14. 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 affirm faithfully to discharge the duties of the office, and shall preside for one year and until another person is chosen in his stead, and, also, a vice president, for the same time. 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 bonds, 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. President.
Appointment of officers.

§ 15. The president or vice president and two directors shall be competent to the transaction of business; and all questions shall be decided by a majority of votes. Business.

§ 16. The president and directors of said company shall, previous to subscribing any policy, and once in each year, publish in two of the newspapers printed in this state the amount of their capital stock. Annual publication of capital stock.

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| Dividends. | § 17. 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 and profits arising from the capital stock of said company as to them shall appear advisable; and in case of any loss or losses, whereby the capital stock of said company shall be lessened before all installments are paid in, each proprietor's or stockholder's estate shall be held accountable for the installments that remain unpaid on his or her 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 or additional installments on the capital stock shall be paid said company, equal to such diminution; 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 be, after deducting losses and dividends. If any stockholder or subscriber to stock in said company shall, for the space of sixty days, neglect or refuse, after being duly notified for that purpose, to pay in any installment due from him for such stock, in manner directed and required by the board of directors, the said board shall be authorized to sell stock of such stockholder or subscriber, at public auction, giving at least thirty days' public notice of such sale; and the surplus money, the avails of such sale, after deducting the payments due and interest thereon and necessary expenses of sale, shall be paid over to such delinquent stockholders. The purchaser of such stock shall be liable, unless the company shall be the purchaser thereof, for so much of said stock as shall remain uncalled for at the time of his purchase: <i>Provided, however</i> , that nothing herein contained shall prevent said company from suing for and recovering of the stockholders the amount of calls upon their stock by action of debt or assumpsit. |
| Stockholders' liabilities. | |
| Triennial statements of profits | |
| Neglect to pay installments. | |
| Delinquents. | |
| Proviso. | |
| Construction of act. | § 18. This 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 therein contained. |
| Stockholders' estate liable. | § 19. 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 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. |

§ 20. This charter shall be void and of no effect unless the stock be subscribed and the company shall commence operations, agreeably to the provisions thereof, within one year after the passage of this act. Limit of law.

§ 21. The stock in this corporation shall be deemed personal property, and no transfer shall be valid while the holder is indebted to the corporation. Stock personal property.

§ 22. And nothing in this act shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. Banking forbid.

§ 23. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 8, 1867.

AN ACT to incorporate the Farmers' and Mechanics' Life Insurance Company, of Monmouth. In force March 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Ivory Quinby, John Brown, Andrew Claycomb and John T. Morgan, the stockholders, and all persons who may be insured under this act, their associates, successors and assigns, shall be and they are hereby declared a body politic and corporate, by the name of "The Farmers' and Mechanics' Mutual Life Insurance Company;" and by that name may contract and be contracted with, sue and be sued, defend and be defended against in any and all courts. Corporators.

§ 2. There shall be an original guaranty capital stock subscribed to the said corporation, which shall be fifty thousand dollars (\$50,000) and may be, at any time hereafter, increased by the directors of said company to any sum, not exceeding two hundred and fifty thousand dollar (\$250,000), and shall be divided into shares of one hundred dollars each; and there shall be paid into the treasury of said corporation, by each subscriber to said guaranty capital stock, ten per cent. on the amount by him subscribed for, and the remaining ninety per cent. secured by mortgages upon unincumbered real estate worth double the amount secured, or by United States bonds, or Illinois state bonds, before the said corporation shall go into operation for the purpose of making insurance; and the balance of said stock may be called for by the directors from time to time, when they deem it necessary or expedient, and shall be paid in by the holders of the stock, which shall always stand Original guaranty capital stock.

pledged to the corporation for all such assessments so called for.

Possession of property, etc. § 3. The said corporation shall be and is hereby empowered to purchase, have, hold, possess, enjoy to themselves and their successors, land, tenements, hereditaments, goods, chattles and effects, of every kind—the same to grant, alien, sell, invest and dispose of; to loan to any person any portion of the capital stock or money on hand on bond, mortgage of real real estate, or other satisfactory security, at such rates of discount or interest, according to bank usage, as they may deem proper and right; to have and use a common seal, and the same to change, alter or renew at pleasure.

Policies signed. § 4. All policies and other papers issued by said corporation shall be signed by the president, or, in case of his absence from any cause, by the vice president, and countersigned by the secretary of the said company; and all losses arising under any policies, so subscribed and countersigned, Adjustment of losses. may be adjusted and settled by the president and board of directors of said company.

Election of directors. § 5. At the first meeting of the said corporation a number of directors, not less than five, shall be chosen by the stockholders of said corporation, who shall hold their offices for the term of one year and until their successors shall be chosen. Not less than five nor more than fifteen directors, as shall be stipulated by a by-law of said corporation, shall be elected by the said stockholders of the corporation, each and every year, on such day as shall be agreed upon by the directors. In all elections each stockholder, Vote of stockholders. by himself or attorney, shall be allowed one vote for each and every share held by him; and none but stockholders shall be eligible to the office of director.

Officers. § 6. The directors shall choose a president, vice-president, and secretary, whose term of office and several duties shall be defined and set forth by the by-laws of the corporation; and they shall appoint such other officers, clerks and agents, and establish such agencies in this state and elsewhere as shall be by them deemed advisable for conducting the business of the company. The directors may choose a president from among their own number or from the stockholders, in which case he shall be a director, *ex-officio*. resident. In case of vacancies occurring in the board of directors so Vacancies. as to reduce the number below five, meetings of the corporation shall be held and the vacancies be supplied as to make the board to consist of at least five.

Dividends. § 7. Whenever the net surplus receipts of the corporation, over their losses and expenses, and after providing for risks, shall be sufficient for the purpose, the stockholders shall be entitled to an annual dividend of ten per centum, or to such less dividends as may be agreed upon at the time of subscribing the stock; and in case of such dividend not

being made in one year it shall be made good at a subsequent period, when the net resources of the company shall be sufficient for the paying the same.

§ 8. After providing for risks, losses, incidental expenses and dividends, as aforesaid, the directors shall set apart one-quarter of the estimated surplus funds and receipts as a reserve fund, to be applied to the redemption of the guarantee stock. Whenever the assured and the stockholders shall decide, by a vote to be taken for that purpose, that the said fund shall be so set aside and applied, and the directors shall thereupon divide said fund annually among the stockholders, according to the amount actually paid in by each. Upon the redemption and extinguishment of the guarantee stock, as provided in this section, the directors shall be chosen by the assured—each of the assured being entitled to one vote in both the above cases.

Reserved fund.

Choosing directors.

§ 9. Annually from the time of the organization of this company, the remaining estimated surplus funds and receipts shall be re-imbursed to and among the assured and the stockholders. To the stockholders in proportion to the amount of cash actually paid in to said corporation by each said stockholder, and to the assured in manner following, namely: To the holder of policies for entire lives, each of which is insured at a uniform annual premium for the whole life, in proportion to the amount of premium paid during the preceding years, and in a corresponding and equivalent proportion upon policies made otherwise than at such uniform rate of premium, that is to say, the reimbursement shall be made in the same proportion as if each policy subsisting at the end of the year had been made at its commencement for an entire life at an uniform annual premium: *Provided*, that the reimbursement to the holder of any policy shall not be estimated upon a greater amount than shall have been actually paid in on such policy.

Surplus funds.

§ 10. The stock of said corporation shall be assignable and transferable, according to such rules as shall be adopted by the directors in that behalf; but no transfer of the same shall be valid whilst the holder is indebted to the corporation and if any subscriber of any share or shares shall neglect or refuse to pay the installments, as called for, for the space of sixty days after the same shall become due and payable, as required, and after he or they have been notified thereof, according to the by-laws of said company, the amount already paid by said negligent stockholder, shall be forfeited to the uses of the company, and the stock by him so held shall be sold at auction or disposed of in such manner as may be required by the by-laws of said company.

Stock shares transferable.

§ 11. The president, or the vice president in the absence of the president, and any two of the directors shall be competent to the transaction of business; and all questions shall be decided by a majority of votes. All policies

of insurance or other contracts, authorized by this act, may be made with or without the seal of said corporation; and, when signed by the president or vice president and secretary, shall be binding and obligatory upon said corporation, according to the true intent and meaning of such policies and contracts.

Home office.

§ 12. The home office of this corporation shall be located in the city of Monmouth, in the county of Warren, and state of Illinois; and to carry out the provisions of this act, the corporators herein before named are hereby constituted the first board of directors of said company, and shall hold their office until an election be had according to this charter; and they, or a majority of them, are authorized to open books and receive subscriptions to the capital stock of said company; and when the amount specified in section two of this act shall have been subscribed, according to the requirements of this charter and the regulations of said corporation, the board of directors shall cause publications to be made in one newspaper published in the city of Monmouth of the full and complete organization of said company; and it shall be lawful for the said company to commence business at any time after publication shall have been so made, and shall organize within one year.

First board of directors.

Stock subscription.

Organization—publication of.

Construction of act.

§ 13. This act is hereby declared to be a public act, for the purposes of evidence only, and shall be in force and take effect from and after its passage, and shall be liberally construed for the purposes therein contained.

Subject to general insurance laws, etc.

§ 14. This act shall be subject to any general law that may be passed by the general assembly, in regard to insurance companies.

APPROVED March 8, 1867.

In force March 9, 1867. AN ACT to amend an act entitled "An act to incorporate the Merchants' Insurance Company, of Chicago."

Directors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of directors of said Merchants' Insurance Company, may consist of any number of persons, not less than nine—the number thereof to be determined, from time to time, by the board of directors then in office.

Banking forbid.

§ 2. This act shall take effect on and after its passage.
§ 3. Nothing in this act or in the act to which this is an amendment shall be construed so as to permit said company to do a banking business, or exempt them from the operation of any general law that shall hereafter be passed upon the subject of insurance or insurance companies.

APPROVED March 9, 1867.

AN ACT to incorporate the Home Fire and Marine Insurance Company, of Paris, Illinois. In force March 6, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Calvin W. Levings, Daniel G. Burr, Andrew J. Hunter, James A. Eads, of Paris, Illinois, 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 Home Insurance Company, at Paris, Edgar County, Illinois;" to have continuance and succession for the term of fifty years, from and after the passage of this act; and, by said corporate name and style, shall be, for the term aforesaid, capable in law and equity, to sue and be sued, to plead and be impleaded, and to do all other matters and things necessary in law to protect and defend their corporate rights; and may have a common seal, which they may change at pleasure.

Corporators.

Style.

Powers.

§ 2. The capital stock of said company shall not be less than one hundred thousand dollars, which may be increased to three hundred thousand dollars, but no more, divided into shares of one hundred dollars each. The stock shall be deemed personal property, and transferable on the books of the company; but no stockholder shall be permitted to transfer his stock while he is indebted to the corporation.

Capital stock.

§ 3. The persons named in the first section of this act are appointed commissioners for procuring said capital stock of one hundred thousand dollars; and said commissioners, or any three of them, shall open subscription books for such stock on such days and at such times and places as they may deem expedient, and shall give at least three weeks' notice of the same in one or more newspapers printed in the town of Paris, or elsewhere; and said books shall be kept open, from time to time, until the sum of one hundred thousand dollars be subscribed.

Books of subscription.

§ 4. When the full amount of one hundred thousand dollars shall have been subscribed and one dollar on each share of stock paid on subscription to said commissioners, they shall then notify the stockholders of the same and appoint a time and place at which they shall meet, giving five days' notice of said meeting in one or more of the weekly newspapers published in the town of Paris, and receive their votes for the election of not less than five nor more than thirteen directors, who shall manage the business of the company, and shall hold their office for one year and until others are elected in their places, and who shall, at the time of their election, be citizens of the United States, and holders, respectively, of not less than ten shares of stock. The voting at all elections shall be by ballot, but absent stockholders may vote by proxy, in writing.

Meeting—notice of.

Term of office.

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| Organization. | § 5. When the stockholders shall have elected the board of directors the commissioners shall deliver to said directors the subscription books, moneys collected on account of the same, and all other papers and things in their hands, necessary to a full organization of said company; and the said directors shall proceed to organize, by the election of a president from among their number, a secretary, and any other officers or agents they may deem necessary for the successful working of said company, who shall hold their offices during one year. The board shall adopt such by- |
| Rules—by-laws. | laws for the general conduct of the business of the company as they may, from time to time, deem advisable; they shall, also, fix the salaries and define the duties of all employees of the company. |
| Payment of stock. | § 6. When the board of directors shall be organized, as provided in section five, they shall call in, by personal or public notice, of at least ten days, such an amount of the capital stock as they may deem expedient, but not less than nine dollars on each share; which, together with the amount paid to the commissioners, shall constitute the first installment on the capital stock, and shall require the residue of the said stock to be secured by United States bonds, state bonds at their par value, or first mortgages on real estate of double the value on the amount secured, and shall issue therefor certificates of stock, setting forth the amount paid in cash and the amount and condition of the stock notes for the residue, and that the stock books of said company, after the organization of said board, shall continue open at the office of said company for subscription until the full one hundred thousand dollars shall have been subscribed; and upon the subscription of any stock after the organization of said board the sum of ten per cent. shall be paid into the board by the persons subscribing such stock, which shall constitute the first installment on stock so subscribed; and the board of directors shall require the residue of the stock so subscribed, to be secured by good and legal stock notes, and issue certificates for such stock in the same manner as is provided for the execution of stock notes and granting certificates for stock subscribed before the organization of said board: <i>Provided</i> , that if at any time the directors shall consider any of the stock notes insecure they shall have power to require additional security on the same, after due notice, under such penalties and forfeitures as they may provide in their by-laws. |
| Certificates. | |
| Books open. | |
| Securing stock. | |
| Proviso. | |
| Policies. | § 7. This corporation shall have power to issue policies of insurance against loss or damage by fire on houses, stores, and all other buildings and structures, on personal property of all descriptions, and to make marine insurance upon steamboats and all other vessels and water crafts, on their tackle, freight, cargoes and all kinds of personal property, in course of transportation, and to do and perform all |

necessary acts and things connected with these objects or any of them. All policies of insurance shall be subscribed by the president or vice president, and countersigned by the secretary.

§ 8. The board of directors shall make such dividends, Dividends.
annually or semi-annually, as in their judgment the affairs of the company will permit. All such dividends shall be indorsed upon the unpaid stock notes until they are paid in full.

§ 9. It shall be lawful for the said corporation to invest Investments.
its funds in United States stocks, stocks of this state, mortgages on unincumbered real estate in Edgar county, or elsewhere, worth fifty per cent. more than the amount loaned thereon, and on such other safe securities as the board of directors may determine.

§ 10. The fiscal year of the company shall commence Fiscal year.
on the first day of January and terminate on the thirty-first day of December. The officers of the said company shall, during the month of January, in each year, cause a full and accurate statement of the affairs of said company to be made in some one of the weekly newspapers published in the town of Paris. Annual statement.

§ 11. The principal office of said company shall be located in the town of Paris, Edgar county, Illinois, but it may have agents and transact business within and out of the state. Principal office.

§ 12. It shall be lawful for said company to purchase Possession of property, etc.
and hold such real estate as may be convenient for the transaction of its business, and also to have and hold any real estate as security, by mortgage or otherwise, to secure the payment of debts due in good faith to said company either for shares of capital stock or otherwise; also, to purchase real estate at any sale in virtue of any judgment at law, decree in equity, or deeds of trust in favor of said company.

§ 13. The stockholders of said company shall meet, Meetings.
annually, on the second Monday in January, in each year, and elect directors for the then current year, at the office of the said company in the town of Paris.

§ 14. That all the franchises and powers conferred by Franchises.
act of incorporation upon the Sangamo Insurance Company, approved February 16th, 1857, be and the same are hereby conferred upon the Home Fire and Marine Insurance Company, of Paris, Edgar county, Illinois.

§ 15. Unless the said company be organized within Limit of law.
two years after the passage of this act then this act shall be void; and nothing in this act shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 16. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 6, 1867.

In force March 9, 1867. AN ACT to incorporate the Mutual Health Assurance Association of Peoria.

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| Corporators. | <p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Alexander G. Tyng, F. C. Missner, David McKenny, B. L. T. Bourland, Carl Feinse, Wm. H. Robinson, Geo. Laurie, Michael Rupelius, Erastus D. Hardin, Henry I. Rugg, Isaac Underhill and George Long, their associates and successors, be and they are hereby created a body politic, and incorporate, by the name of the "Mutual Health Assurance Association of Peoria," possessing, in addition to the general powers and privileges of a corporation, under the laws of this state, the power to issue policies, insuring the members of said corporation, the payment of such weekly sums, in cases of disability by sickness or accident, as may be determined by the board of directors as hereinafter provided.</p> |
| Name. | <p>§ 2. The affairs of this corporation shall be under the management of a board of nine directors, who shall elect from among their number a president, vice president, secretary and treasurer.</p> |
| Business powers. | <p>§ 3. The board of directors shall be elected, annually, from among the policy-holders, and they shall be eligible to re-election. The first nine persons named in the first section of this act shall constitute the first board of directors for one year from the passage of this act, and until their successors shall have been appointed.</p> |
| Directors | <p>§ 4. The board of directors shall have power to make all necessary rules for the government of this corporation, not inconsistent with the laws of this state, to issue policies, determine the rates of insurance, the limitations and conditions of said policies, to collect the premiums, to invest the surplus, after paying all expenses and losses and after reserving a sufficient cash fund to meet immediate and probable losses, in government and state bonds and securities, and in first class mortgages upon unincumbered real estate within the state of Illinois.</p> |
| Officers. | <p>§ 5. The corporation shall have power to sue and be sued, plead and be impleaded, prosecute and defend, in all actions at law and in equity, in all courts whatsoever.</p> |
| Election of directors. | <p>§ 6. This corporation may also, lawfully hold, purchase and convey real estate as follows, to-wit:</p> |
| First board. | <p><i>First.</i>—Such as shall be requisite for its accommodation in the transaction of business.</p> |
| Powers of directors. | |
| Corporate powers. | |
| Possession of property, etc. | |

Second.—Such as shall have been mortgaged to it, by way of security for loans contracted in the course of its dealings.

Third.—Such as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

Fourth.—Such as shall have been purchased at sales upon judgments, decrees or mortgages obtained or made for such debts.

§ 7. If it shall ever happen that the losses and necessary expenses shall exceed the whole amount of the resources of this company, then the board of directors shall assess each policy in sums proportionate to the premiums thereon, sufficiently to meet said losses and expenses: *Provided*, such assessment or assessments shall not exceed one hundred per centum on the said premiums annually. Assessments.

§ 8. Unless the said company shall organize within two years after the passage of this act, then this act shall be null and void; and nothing in this act shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. Time for organization limited. Banking business prohibited.

§ 9. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 9, 1867.

AN ACT to amend the charter of the Fire and Tornado Insurance Company. In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the first section of the act to which this is an amendment be and the same is hereby so amended that the name "Fire and Tornado Insurance Company," be and the same is hereby changed to "Continental Insurance Company." First section of act amended.

§ 2. No claim that is now or may be hereafter against said company shall in nowise be affected by the passage of this act. Claims valid.

§ 3. Nothing in this act or in the act of which this is an amendment shall be construed so as to permit said company to do banking business, or exempt said company from the operations of such general laws as may hereafter be passed upon the subject of insurance companies. Banking prohibited.

§ 4. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force Feb'y 25, 1867. AN ACT to amend an act entitled "An act to incorporate the Addison Farmer's Mutual Insurance Company," approved February 15, 1855.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That said act be so amended that said company may be authorized to insure stock, buildings, etc., insure buildings, live stock, furniture, provisions and produce, and such other personal property as they are by their charter authorized to insure against loss or damage aside from fire, arising from lightning, and that the directors of said company may enact such by-laws and fix such rates as may be deemed necessary.

Applications of funds. § 2. The fund arising from lightning risks shall be applied,

First.—To the payment of all losses or damages arising from lightning, aside from fire, as may occur to such buildings or other property that are thus insured.

Second.—The directors of said company may appropriate such portions of this fund as they may deem proper to the compensation of officers, the payment of taxes, and of the other expenses of conducting the business of said company.

Third.—Any member of said company so insuring against loss or damage from lightning, shall, at the expiration of said insurance, be entitled to a proportional share of this fund, remaining after the payment of all losses and expenses as beforesaid.

Conflicting acts repealed. § 3. So much of this act to which this is an amendment as may be inconsistent with this act, shall be and is hereby repealed.

Organization. § 4. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act, or in the act of which this is an amendment, shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

Subject to general insurance laws.

§ 5. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

In force Feb'y 28, 1867.

AN ACT to incorporate the Vesuvius Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James H. Knowlton, Henry S. Durand, Egbert Jamieson, Alex. F. Stephenson, and Thompson Maple, and their associates and

successors, and all such persons as shall become stockholders, be and they are hereby created a body corporate and politic, by the name and style of "The Vesuvius Insurance Company;" and, as such company, shall have perpetual succession, and shall have power to sue and be sued, plead and be impleaded unto, answer and defend, in any and all courts of law and equity in this state and elsewhere. The corporation shall have a common seal, and power to appoint all such servants and agents as it may deem necessary, and may make and establish such by laws, rules and regulations, for the management of its affairs, as it may think proper, not inconsistent with the laws and constitution of the United States and of the state of Illinois, and shall be reorganized in all its rights and powers, without pleading, the same in all the courts of Illinois.

§ 2. The capital stock of said company shall be five hundred thousand dollars, with power to increase its cash capital stock to any sum not exceeding three millions of dollars, by a vote of the majority in interest of the full paid stock, at the date of such vote. Said stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and transferable on the books of the company only, under such regulations as may be adopted by the board of directors of said company.

§ 3. The incorporators named in the first section of this act, or a majority of them, shall have power and authority to open books, at such time and place in the city of Chicago, and other places, for subscription to the capital stock, as they may appoint, not to exceed one year from the time of the passage of this act, by giving ten days' notice in some newspaper printed in the city of Chicago, that such books will be opened for subscription to the capital stock and that they will remain open until one hundred thousand dollars shall have been subscribed. Said corporators shall require a payment of ten per cent. upon all the subscriptions for stock at the time of subscribing for the same; and the remaining ninety per cent. shall be secured by mortgages upon real estate worth double the amount secured, by U. S. bonds, or by Illinois state stocks. And as soon as the sum of one hundred thousand dollars is subscribed and ten per cent. is paid, as herein provided, the incorporators shall within ten days thereafter call a meeting of the stockholders, by publishing a notice in some newspaper published in Chicago, stating the time and place for the stockholders to meet to elect a board of directors. The election of the first board of directors shall be managed and superintended by the incorporators who have acted in opening the books for subscription to the capital stock of said company.

§ 4. The officers of said company shall consist of a board of directors, of not less than seven nor more than nine persons, a president, vice-president, secretary and

Name and style

Powers, etc.

Capital stock.

Stock subscrip-
tion.Meeting of
stockholders.

Officers.

By-laws. treasurer. The board of directors shall as soon as fully organized, adopt by-laws, establish rules and regulations by which its members shall be governed and the business of the company conducted. The by-laws so adopted, shall define the powers and duties of the directors and other officers of the company; and said board of directors shall fix the salaries of all officers and employees of said company, and provide for their own compensation, from time to time, as the interest of the company may require; and may alter and amend the by-laws of said company, as they may see fit and proper: *Provided*, that such by-laws, rules and regulations shall not, in any way, conflict with the laws of this state.

Duty of stockholders. § 5. It shall be the duty of the incorporators who have acted in opening books for subscription to the capital stock of this corporation, so soon as the board of directors is chosen by the stockholders and such board is fully organized, to deliver over the subscription books and all moneys received by them on subscriptions of stock to the board of directors.

Directors. § 6. The stockholders shall elect, annually, from their number, a board of directors, consisting of not less than seven nor more than nine persons, at such time and place as the by-laws may provide—each share of stock being entitled to one vote—to be cast either in person by the holder thereof, or by proxy, as may be provided for in the by-laws of the company. A majority of the votes cast at any and all elections shall decide the same. A majority of the directors, shall form a quorum for the transaction of business.

Quorum. At all annual elections for directors of the corporation the members present shall appoint three stockholders, who are not directors, to act as inspectors of election, who shall canvass the votes and declare the result; and the persons who shall have received the greatest number of votes shall be directors for the coming year, and shall immediately, as soon as notified, accept or decline the election. And said directors shall, as soon as qualified, organize the new board and proceed to elect from their number a president, vice president, secretary and treasurer. The directors and officers of said company shall hold their offices for one year, and until their successors are qualified. And said board of directors

Election of officers. may, from time to time, appoint such other officers, clerks and agents for said company as they think necessary, and define their duties, and determine their compensation and require such security for the faithful performance of their duties as shall be deemed proper. Said board of directors may appoint three of the stockholders to act as an executive committee, which executive committee, when appointed, shall possess all the powers of the board of directors in the management of the business of the company. When said board of directors shall not be in session the powers and du-

Appointments.

ties of said committee, in connection with the affairs of the company, shall be defined and their compensation determined by the by-laws of said company.

§ 7. The corporation hereby created shall have power to make insurance against loss or damage by fire on any and all kinds of property, buildings and fixtures; to make insurance and take all and any marine risks; and, also, said corporation shall have power to make insurance against loss or damage occasioned by explosion produced or caused by the force or power of steam, and on any or either of the risks above mentioned; to fix charges and rates of insurance therefor, and receive such rates for such insurance as may be agreed upon by the parties; and any or either of the risks and insurances above mentioned may be taken upon the stock or mutual principle, or upon both together, as said company may provide in their by-laws, rules and regulations for conducting the business of said company under this charter.

Business and operations.

§ 8. All persons who shall at any time be insured in this company upon the mutual principle, shall become members thereof during the continuance of their respective policies, and no longer, and shall, at all times be bound by the provisions of this act. All cash premiums paid by such insured and members, to the amount of one hundred dollars, shall be entitled to a certificate of stock, representing one share, and the holder thereof shall be entitled to the same rights and dividends thereon as the full paid stock of the company.

Membership.

Certificates of stock.

§ 9. The rates of insurance, whether against loss or damage by fire, marine risks, life, or against injury or death by accident, of persons traveling, or otherwise, as above provided, or against loss or damage from explosion, as above provided for, when made upon the mutual or stock principle, under this act, shall be fixed by the board of directors in the by-laws, rules and regulations of the company, and in such a manner as to make the insurance uniform, as far as it can be done; and said company shall have the power and authority to take, in its corporate name, premium notes from the insured, which shall be paid at such time or times and in such sum or sums as the directors shall require for the payment of losses and expenses; and said directors may determine the per cent. upon such premium notes, to be paid in money in hand at the time of the insurance, as they may deem proper, and for the interest of the company. Any person applying for and becoming insured may pay a definite sum of money, in full for said insurance and in lieu of a premium note.

Insurance rates

Premiums.

Premium notes.

§ 10. Said company shall have the power and authority to issue policies of insurance to any person or persons, or to any body corporate, against loss or damage by fire, or loss and damage occasioned by explosion produced or caused by the force or power of steam, and also marine risks for any term of years not exceeding ten.

Policies — risks.

§ 11. The directors shall have power and authority to levy assessments upon the premium notes any time they may deem it necessary for the payment of losses and expenses; and the parties giving such premium notes shall be and are hereby bound to pay their proportions of all loss and expenses happening and accruing during the time for which their policies were issued and in force and to the amount of their premium notes.

Assessments.

§ 12. Whenever any assessment is made upon any premium note given to said company and the maker thereof shall neglect or refuse to pay the amount claimed by said company for the space of twenty days after notice of such assessment, his, her, its or their policy shall become null and void, until such payment is made; and an action may be brought at law for the whole amount of the premium note; and proceedings in a court of chancery, by bill, may be instituted to enforce the claim given the company under this act; and in case suit is brought, either at law or in chancery, or both, for the recovery of any assessment due said company, the certificate of the secretary or president of said company, stating the amount of assessment and the amount due shall be taken and received as *prima facie* evidence in all courts of law and equity in this state.

Home office.

§ 13. The home office of said company shall be in the city of Chicago, and state of Illinois. Said company may do business in any other place, by an agent or agents, and may establish a branch office or offices in any other state or states, under the laws thereof; and said company may take, in its name or otherwise, such real estate, and hold the same, as may be necessary to have and hold for the purpose of transacting its business; and may take and hold such personal property as may be necessary for the use of the company.

Duties of first directors.

§ 14. The first board of directors elected under this act, and any subsequent board, may open subscription books for capital stock of said company, and shall have power and authority to fix the per cent. to be paid at the time of subscribing, and shall have power and authority, from time to time, to require it to be paid upon the capital stock of said company from the subscribers, until the stock shall be fully paid; and in case any subscriber shall neglect or refuse to pay such installment, or any part thereof, said board of directors shall have the power to forfeit such stock and sell the same, in such manner as may be prescribed in the by-laws of said company. The stock of said company may [be] transferable in such manner as said company may provide in the by-laws.

Investment of moneys.

§ 15. The corporation, by its board of directors, may declare dividends; but all dividends shall be applied in payment of the capital stock subscribed until the amount subscribed by each shareholder shall be fully paid by

installments or dividends; and after such full payment of stock of any and all of the stockholders, all dividends shall be paid to such stockholders or to the person or persons holding the stock.

§ 16. The company may invest any surplus capital, or other money on hand, in any kind of interest paying stocks or securities, or on real estate, lands and mortgages, or may loan the same, at any rate of interest not exceeding ten per cent.; and may discount the interest reserved out of such loan, and may take, hold, sell and convey such real estate and personal property as it may be necessary, to secure any loan or debt due to said company, by payment or otherwise. In all cases of loss exceeding the property Losses. and paid stock of the company each shareholder shall be liable, *pro rata*, on the amount of and to the amount of unpaid stock due from each. Nothing contained in this act shall be so construed as to allow the company any banking privileges, or issue any certificates of deposit to circulate as money or currency.

§ 17. If it shall happen that the election of directors of Elections. this company shall not be held on the day when pursuant to this act it should have been made or held, this company, for that cause, shall not be deemed to be dissolved, but it shall be lawful, on any other day, to make and hold an election, notice of which shall be given in a manner prescribed by the by-laws of said company: *Provided*, that if the corporation created by this act shall not organize within one year from the passage hereof, then this act shall be null and void.

§ 18. And nothing in this act or in the act of which this is Construction of act. an amendment shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 19. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Union Investment Company.

In force June
12, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Frank Corporators. Priest, J. S. Durkee, C. D. Sears, J. H. Currier and A. Montfort, their associates and successors, are hereby declared a body politic and corporate, by the name of "The Union Name. Investment Company," for the objects and purposes herein-after named; and, by their corporate name, may sue and

Legal rights. be sued, plead and be impleaded, appear, prosecute and defend, in any court of law or other court or place whatsoever;
 Seal. may have and use a common seal, and alter and renew the same at pleasure; may make, establish and put in execution such by-laws, ordinances and resolutions, not being
 By-laws. contrary to the laws of this state or of the United States, 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 effect the purposes intended by this act.

Directors. § 2. The affairs of said company shall be managed by a board of directors, to consist of not less than five nor more than fifteen members, as may be regulated by the by-laws of said company. Said directors shall be chosen by the members and stockholders of said company, and a majority of the whole board shall constitute a quorum for the transaction of business. The executive committee of said company shall possess all the powers of the board of directors when the said board is not in session.

Officers. § 3. The board of directors shall elect a president, vice president, actuary and treasurer, who shall hold their respective offices, for one year, or longer, as may be determined by the by-laws of said company, and until others are chosen in their places. The board of directors shall also appoint an executive committee, to consist of three directors. Subordinate officers, agents and examiners may be appointed
 Agents and examiners. by the board, and in the manner prescribed by the by-laws of said company.

Business. § 4. The corporation hereby created shall have full power and authority to take risks and make insurance with any person or persons upon their life or lives or upon the life of any person for the benefit of any other person having a pecuniary interest in the insured person's life, as creditor, guarantee, or interest by marital relation; to grant, sell or make and contract for annuities or endowments; and to do all other acts and things necessary and incidental to the transaction of a life insurance and annuity business; and
 Surplus capital. to loan their surplus or unemployed capital or money on personal or real estate securities, state and United States bonds, and other securities, at such rates of interest as the said directors may agree, not exceeding the rate at the time that may be allowed by law to individuals, payable annually, semi-annually, quarterly or in advance; they may also
 Re-insurance. cause themselves to be insured against loss upon any or all of their risks, and also to insure their own property or their interest in any property against loss by fire.

Privileges of married men. of women. § 5. It shall be lawful for any married woman, by herself and in her name, or in the name of any third person, with his consent, as her trustee, to cause to be insured for her sole use, the life of her said husband; and the premium

of said insurance, not exceeding three hundred dollars per annum, may be paid by or from the estate or funds of her said husband; or a policy in his name and by him obtained may be made payable to his wife, or to her and her children, or to either; and in case of her surviving her husband the sum or net amount of insurance becoming due and payable by the terms of the insurance shall be payable to her, to and for her own use, free from the claims of the representatives of the husband or of any of his creditors, other than this corporation. In the case of the death of the wife before the decease of her husband, the amount of the said insurance may be made payable, after such death, to her children, for their use, and to their guardian, if under age.

§ 6. The board of directors shall determine the rate of insurance, the sum to be guaranteed in any one risk, and the fees and premium to be paid therefor. Each and every applicant for insurance in said company, before he, she or they shall be entitled to a policy or certificate of membership, shall deposit with the company such premium or membership fee as may be determined by the rules, rates and regulations of the company, and shall, also, stipulate for the payment of such further premiums and contributions as may be agreed upon. The board of directors may establish separate classes for the risks presented for their acceptance, and the members of each class shall contribute and participate *pro rata*, with members of the same class in the receipts and distributions of said company. The policy or certificate of membership of any person insured in said company shall cease and determine at any time when the holder or holders thereof shall fail or refuse to pay to said company the contribution or premium by him, her or them agreed to be paid, but the company may proceed to collect the amounts due from such delinquent policy-holders or members up to the time of such termination of their membership.

§ 7. For the better security of policy-holders, the board of directors of said company may establish a stock capital of not less than fifty thousand nor more than five hundred thousand dollars, to be divided into shares of one hundred dollars each. There shall be paid, at the time of subscription to said stock, by each subscriber, at least ten per cent. of the amount by him, her or them subscribed, and the residue shall be paid or secured by mortgage on unincumbered real estate worth twice the amount for which the mortgage calls for, or United States bonds, state or county bonds, at their cash value.

§ 8. The annual election for directors of said company shall be held on the first Monday in January in each year, ten days' notice of which shall be given by public notice in some newspaper published in the county wherein the home office of the company is located. Each member shall be entitled to one vote and each stockholder one vote for each

share by him, her or them held, and absent members may vote by proxy. Should it so happen that the annual election should not be held at the time when, pursuant to this section it ought to have been had and held, the corporation shall not be deemed to be dissolved thereby, but the same may be had and held at any other time thereafter, notice having been given as hereinbefore provided for. Vacancies in the board may be filled at any regular or special meeting thereof by a majority of the directors.

Vacancies.

Stock shares
assignable.

§ 9. The shares of the capital stock of said company shall be assignable only on the books of the company, and in such manner as may be prescribed by the by-laws of the corporation. The persons named in the first section, of this act are hereby constituted the first board of directors, and are authorized to fill up their number to any number not exceeding fifteen, and shall serve as such until the first annual election or until others are chosen in their stead.

Home office.

§ 10. The home office of the company shall be located in the city of Springfield, Illinois.

Limit of law.

§ 11. Unless the said company shall be organized within two years after the passage of this act, then this act shall be null and void. And nothing in this act shall be construed so as to permit said company to do banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.

§ 12. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

This bill having remained with the governor from the last day of the regular session of the twenty-fifth general assembly, who, by their adjournment, prevented its return within ten days, and not having been returned on the first day of the meeting of the general assembly, after the expiration of said ten days, has become a law, and is filed in this office, this 12th day of June, A. D., 1837. SHARON TYNDALE, Sec'y of State.

In force Feb'y 9, 1867. AN ACT to enable the county of Alexander to build a jail and improve the court house grounds, and for other purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the* county of Alexander be and is hereby authorized and empowered to borrow money, in one or more loans, not exceeding in all the sum of fifty thousand dollars, to be used in constructing a jail and filling up, decorating and improving the court house yard or grounds, in the city of Cairo, in said county, and for other purposes.

Borrow money.

Bonds.

§ 2. For the purposes aforesaid, the county court of said county is authorized to issue bonds of said county, to the amount of fifty thousand dollars, in sums of not less than one hundred dollars nor more than one thousand dollars each; which bonds shall be made payable at such times and

places as said county court may designate, and shall bear interest not exceeding ten per centum per annum, and shall be signed by the judge of said county court and countersigned by the clerk of said court, with the seal of said court annexed; and said bonds may be sold by said court and shall be obligatory upon said county.

§ 3. The county court of Alexander county shall provide for the payment of the principal and interest of said bonds, and, if necessary, shall levy a special tax therefor; and at the expiration of one year from the issuance of said bonds the said court shall publish in some newspaper published in the city of Cairo, a statement of the amount of bonds issued, for what purpose issued, and what amount has been collected for the payment of the principal or interest thereon, and such statement shall, in the same manner annually thereafter, be published.

§ 4. This act shall take effect from and after its passage.
APPROVED February 9, 1867.

AN ACT to incorporate the Chicago Real Estate and Land Company.

In force Feb'y
28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel H. Kerfoot, I. Ford Pearson, William C. Goudy, Herman Benze and T. Brainard Smith, or any three (3) of the aforesaid persons, their associates, heirs or assigns, and all such persons as shall become stockholders in the corporation hereby created, and their successors shall be a body politic and corporate, for the term of twenty-five (25) years, by the name and style of "The Chicago Real Estate and Land Company;" and shall have a common seal; power to sue and be sued, plead and be impleaded; to appoint such officers, servants and assistants; make such rules, regulations and by-laws as the said corporation, by its board of directors, shall deem proper and necessary. The said incorporators or those of them so organizing said company, shall constitute the first board of directors of said company, and shall serve as such board until their successors shall be duly elected and qualified.

Corporate name
and powers.

Directors.

§ 2. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same to be subscribed and paid for in the manner prescribed by the by-laws to be made by the said company, and shall be divided into shares of one hundred dollars each, which shares shall be deemed personal property, and shall be transferable on the books of said company in such manner as its by-laws may prescribe.

Capital stock.

Directors.

The affairs of said company shall be managed by a board of directors, not less than three, nor more than five in number, who shall be elected annually on the first Monday of January in each year; but any failure or omission to elect directors shall in nowise impair or affect the rights and powers of directors holding over, but they shall continue in office till their successors shall be duly elected, nor shall such failure or omission in anywise impair or affect the rights or interests of the stockholders or others interested. Each board of directors shall elect one of their number president, and they appoint a secretary and treasurer. The treasurer shall give such bond and security as the board of directors may require.

President.

Real estate.

Business powers.

§ 3. The said corporation shall have power to acquire the title to real estate or personal property, by purchase, grant, deed, devise, bequest or gift; to buy, sell, convey, lease, mortgage or improve the same; to secure the payment of any money or debt due by or to it, by deed of trust, mortgage, pledge or collateral; to execute or take bills of exchange, notes, bonds or contracts in the transaction of its business; to buy and sell real estate upon commission; to pay taxes, rent property, and to do and perform all such other acts as may be necessary and proper for the exercise of the powers herein conferred. The deeds, mortgages, contracts, leases and releases executed by said company shall be signed by the president and secretary and sealed with the seal of the corporation, and all other papers may be executed in such way as is usual for corporations, or as may be directed by the rules, regulations and by-laws of this company.

Deeds signed.

Vote of stockholders.

§ 4. At every election for directors each stockholder shall be entitled to one vote for each share of stock he may then hold in his own name and right, and such vote may be in person or by proxy. A majority of all the votes so cast shall be necessary to make an election.

Records.

§ 5. The directors of said corporation shall cause their secretary to keep a record of their actions and proceedings as a corporate body, and regular accounts shall be kept of all the moneys received and expended, and all the books and papers of the corporation shall always be open to the inspection of any stockholder; and the main office of said company shall be in the city of Chicago.

§ 6. This shall be deemed a public act, and in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Land Improvement and Irrigation Company. In force March 1, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Eras-
tus Bailey, John C. Haines, James H. Kinyon, Francis B. Toby and R. K. Swift, and all others who may become associated with them as subscribers to the stock of the company hereby created, their associates and assigns forever, be and they hereby are created and made a body politic and corporate, by the name and style of "The Land Improvement and Irrigation Company;" and, by that name, shall be and hereby are empowered to have, hold, possess and enjoy, by themselves, successors and assigns forever, lands, tenements, hereditaments, goods, chattels, choses in action and effects of every kind, and the same to grant, sell, alien, invest, loan and dispose of; to sue and be sued, plead and be impleaded, in all courts of law and equity; to have and use a common seal, and the same to change, alter or renew at pleasure: *Provided*, the principal office of said company shall be kept in the city of Chicago.

§ 2. The business and affairs of said corporation shall be managed by a board of not less than three nor more than seven directors, and such officers and agents in this state and other states and places as they may appoint. The first board of directors shall be elected by the corporators aforesaid, or such of them as may act, together with such other persons as may become associated with them as subscribers to the stock of said company; and, thereafter, the said directors shall be elected by ballot by and from the stockholders of said company. They shall hold their office for the term of three years and until others shall be elected or chosen to fill their places. In case of a vacancy, by death, resignation or otherwise, the remaining directors may fill such vacancy, by appointment, until the next regular election. There shall be a meeting of the stock holders at the office of the company in Chicago on the second Tuesday of February of each and every year. Three stockholders, representing either by ownership or proxy, one-half the capital stock of the company, shall constitute a quorum for transacting business. The said board of directors shall have power to ordain and put in execution such by-laws and regulations as they may deem proper for the well ordering and government of said corporation: *Provided*, they be not repugnant to the laws of the United States or of this state, or to the provisions of this act of incorporation. They shall have power to make or cause to be made such surveys, examination and improvements of the lands and water courses owned or controlled by said company, to appoint all such officers and agents and to fix their salaries, compensation, duties and terms of office, as

they, in the exercise of a sound discretion, may deem for the best interests of the company. They shall require the officers in charge of the home office of said company to make out an annual report of the resources and liabilities, receipts and expenses, business and losses of the company, to be verified by affidavit; of which report each stockholder shall be entitled to a copy, on application at the office of the company. The home office of said company shall be located in the city of Chicago. Contracts to which said corporation may be a party shall be valid and binding with or without the seal of said corporation attached.

§ 3. At any time within two years from and after the passage of this act, and not afterwards, the said corporators, or such of them as may act, shall proceed to organize the company, by the election of the first board of directors, and open books for subscription for the capital stock of said company; and subscribers therefor may be required to pay for the stock so subscribed for by them in installments, as may be ordained by said board of directors; and they may and shall forfeit, for the use of the company, all installments and payments that may have been made by them thereon, upon failure to make due and punctual payment of any installment that may be called for or ordered by said directors.

§ 4. The chief objects of this association shall be to examine, survey and purchase lands or interests in lands, water courses, or interests therein, which are as near as may be adapted by nature to the use of water to irrigate the same, to facilitate the growth of crops in dry seasons, and to improve and cultivate the same for such crops chiefly as require irrigation to produce the largest returns.

§ 5. The capital of said company shall be acquired by issue and sale of, by said board of directors, certificates of shares therein, in such sums per share and with such grades of preference as to a share or shares in the dividends of the net profits of the company, and with such terms and conditions in relation to such dividends, and as to retirement of such shares or any portion thereof, as the said board of directors may deem proper to ordain, fix or establish. Said capital may be acquired to the extent of one hundred thousand dollars.

§ 6. At any annual meeting of the company, (a quorum for business being present,) the number of the directors may be increased or diminished as two-thirds of the voters at any such meeting may approve by their votes.

§ 7. At all elections for directors the stockholders shall be entitled to one vote, by themselves or proxy, for each share of stock held and owned by them respectively.

§ 8. Shares in said capital stock shall be transferable only on the books of said corporation, according to the rules and regulations of the company.

§ 9. Any surplus moneys belonging to the company Surplus moneys may be used, from time to time, to purchase, for account of the company, any certificate of a share or shares in the said capital: *Provided*, that authority to do so is confirmed at an annual meeting of the company.

§ 10. The company may borrow money, for the purpose Borrow money. of improving its lands, and secure the payment of the same by its note or notes, bond or bonds, contract or contracts, coupon or coupons, mortgage or lien on its lands and effects, but not otherwise.

§ 11. At least once in each period of eight years the company shall furnish to the governor of this state a report, stating the amount of lands improved by the company, and the nature of such improvement, and the profits or loss resulting from its operations. Octennial reports.

§ 12. The said board of directors may, out of the net profits of the company, set apart and create such reserve fund or reserve funds, for specific or general purposes, as they may deem needful, proper or expedient. Reserve funds.

§ 13. This act shall be deemed to be a public act, and to take effect from and after its passage.

APPROVED March 1, 1867.

AN ACT to legalize certain acts therein mentioned.

In force Feb'y
22, 1867.

WHEREAS, the city council of the city of La Salle, in the county of La Salle, by a certain contract, made and entered into by said city council, with Richard Cody, Michael Byrne and Nicholas Duncan, of said city of La Salle, authorized the said Cody, Byrne and Duncan to mine and take out the coal underlying the streets, alleys and public grounds of that portion of said city of La Salle, situated upon section No. fifteen (15), in township No. thirty-three (33) north, of range No. one (1) east of the third principal meridian, upon certain terms and conditions in said contract mentioned; and, whereas, some doubts are entertained with regard to the full authority of said city council to make and enter into said contract and as to the entire legality of the same; now, therefore, Preamble.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the said contracts, and all the several matters and things therein contained, be and the same are hereby fully ratified and confirmed, and the same shall be deemed and held, in all courts and places whatever, to be, in all respects, entirely legal, valid and effectual. Old contracts ratified.

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

APPROVED February 22, 1867.

In force Feb'y AN ACT to incorporate the Public School Library Society of Warsaw,
20, 1887. Illinois.

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| | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly, That N. A. Prentiss, Sollis R. Holmes, Darius H. Cox, Adolph Roesler, Fr. Kruskoff, James B. Hill and Neziah W. Bliss, and such other persons as may be associated with them, in compliance with the conditions expressed in sections two and three of this act, are hereby constituted a body corporate and po-</i> |
| Name and style | <i>litic, by the name and style of "The Public School Library Society of Warsaw, Illinois;" and, by that name, they and their</i> |
| Powers. | <i>successors shall be known in law, have perpetual succession, and a common seal, and may contract and be contracted with, sue and be sued, plead and be impleaded, in any court of law or equity, and may purchase, receive and hold, alien and convey any real or personal property which may be given or dedicated to or purchased by them for the use of said society.</i> |
| Object. | § 2. The object of said society is declared to be the establishment and maintenance of a public school library and lyceum. And all persons who have been heretofore, are now, or may be hereafter members of the board of education, officers, teachers or pupils of the Warsaw public schools, may become life members of said library, by paying to the board of trustees hereinafter provided for the sum of twelve dollars. No other persons than those herein designated shall be eligible to life membership of said library; but there may be annual subscribers to the same, under such regulations as the said board of trustees may determine. |
| Membership. | § 3. No persons, except life members of said library, are entitled to become members of the society hereby established. Members of the board of education, officers and teachers of the said public schools, and all other adult persons, shall become members of said society, by virtue of their life membership of said library; but the conditions on which pupils shall be entitled to membership of said society shall be determined by said board of trustees. |
| Trustees. | § 4. The powers of the society hereby established shall be vested in a board of nine trustees, any five of whom shall constitute a quorum to transact business. The president of the board of education, the principal of the high school, and the principal of the grammar school, of the Warsaw public schools, and their successors, are hereby declared permanent members of the said board of trustees, by virtue of their respective offices. The remaining six members of said board of trustees, three of whom may be females, shall be elected by said society from their own members, for the term of three years and until their successors |

shall be elected and qualified; and one-third of the members shall go out of office every year; and, for that purpose, the first board shall cause its elected members to be divided, by lot, into three equal classes, the first class to go out of office at the end of one year, the second at the end of two, and the third at the end of three years. Any vacancy that may occur in this board, by death, resignation or otherwise, or by the election or appointment of an elected member to a position making him an *ex-officio* member, shall be filled for the remainder of the term by the board itself.

§ 5. The president of the board of education shall be, *President.*
ex-officio, president of the said board of trustees, and he is hereby authorized to open or cause to be opened a book of *Book of registry*
 registry, wherein shall be recorded the names of all eligible persons who may desire to become members of said society; and when twenty-five or more persons shall have thus enrolled their names he shall call them together, at such time and place as he may designate, and when assembled, they or such of them as may be present, shall proceed to elect six trustees, who, when elected, shall be classified as directed in the foregoing section.

§ 6. The said board of trustees shall have power to *Officers, etc.*
 appoint such officers and agents as may be necessary to accomplish the objects of the society and to prescribe their powers, duties and compensation and to make and enforce all such rules, regulations and by-laws as may be required in the transaction of their business and the management of said library: *Provided*, that nothing therein contained shall *Proviso.*
 be repugnant to the provisions of this act or the laws of the land.

§ 7. The said board of trustees shall have power to assess *Assessments.*
 all life members of said library any amount, not exceeding three dollars per annum; but no such assessment shall be made without the concurrence of at least two-thirds of the members of said board.

§ 8. This act shall take effect and be in force from and after its passage.

APPROVED February 20, 1867.

AN ACT to recognize, define and limit the powers of the stockholders of the Quincy Library, of the City of Quincy. *In force Feb'y 19, 1867.*

WHEREAS the Quincy Library of the city of Quincy, *Preamble.*
 Adams county, Illinois, has been in existence since the year 1841, and was organized and incorporated under the provisions of an act entitled "An act to incorporate such persons as may associate for the purpose of procuring and erect- *Old law.*

ing public libraries in this state," in force January 31st, 1823, and also of an act supplemental thereto, entitled "An act supplemental to act to incorporate such persons as may associate for the purpose of procuring and erecting public libraries in this state, approved January 31st 1823," which last act was approved January 31st, 1835; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said Quincy library be and the same hereby is recognized and declared to be a legal corporation, for the purposes specified in the said acts above referred to, and defined in the constitution and by-laws of said Quincy library, and now in force; and it shall not be lawful for the said Quincy library, or for the stockholders, to adopt or pass any law, order or resolution for the purpose or with the effect of distributing the property of said Quincy library; among the stockholders or other persons, or to so provide that said Quincy library shall cease to be kept up and maintained for said purposes for which the same was organized; and it shall not be lawful for the stockholders of the said Quincy library, at this or any other time, to limit the number of its stockholders, but to enable all persons who may wish to participate in the benefits of said Quincy library, the number of its stockholders, shall be unlimited, and the property of said Quincy library shall be held in perpetuity for the benefit of said Quincy library.

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

APPROVED February 19, 1867.

In force Feb'y
22, 1867.

AN ACT to incorporate the Library Hall Company of Quincy.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles H. Curtis, Isaac O. Woodruff, James D. Morgan, O. H. Browning, R. S. Bermeson, N. Bushnell, Thomas Jasper, Samuel Jonas, Elijah Gove, William McFadon, Lorenzo Bull, James M. Pitman, Charles H. Bull, M. B. Denman, Marcus Merrick, Amos Green, Charles W. Keyes, Charles E. Allen, P. C. Keller, John K. Van Dorn, Henry L. Warren, Henry S. Osborn, Porter Smith, Henry Root, F. W. Jansen, William Steinwedell, Allen Comstock, Charles A. Savage, U. S. Penfield, and their associates and successor, are hereby created a body politic and corporate, by the name and style of "The Library Hall Company of Quincy;" and, by that name and style, shall have perpetual succession; may sue and be sued, plead and be impleaded, answer

and be answered unto, defend and be defended in all courts and places whatsoever of competent jurisdiction, and in all manner of actions whatever; may have a common seal, and alter, change and renew the same; may receive and acquire, by gift, demise, lease, purchase, or otherwise; and may hold, use, enjoy, convey, sell or otherwise dispose of such real and personal estate as may be necessary and convenient for the purposes hereinafter recited; and may do all acts and things necessary and proper to carry the same into full effect.

§ 2. The corporation hereby created shall have power to make such constitution, by-laws, and rules and regulations for the appointment of its officers, the government of the company, the management of its property, and the superintendence of all its concerns, as its members shall deem most proper and beneficial, and may change the same at pleasure: *Provided*, the same is not inconsistent with the laws and constitution of this state or of the United States. Powers.

§ 3. The funds of this corporation, hereby created, are hereby exempted from taxation, and shall be expended, as is hereinafter provided, in buying an adequate lot or piece of ground and erecting thereon a building, sufficient and commodious for the use of the Quincy library, which ground and building, while the same or any part thereof shall be occupied and used as a public library, shall not be subject to taxation. The stock of said company shall be in shares of twenty-five (25) dollars each, which shall be personal property, and be transferable only upon the books of the company. Funds exempt from taxation.
Shares of stock.

§ 4. It shall be the duty of the corporation hereby created, as soon as the necessary funds can be obtained, to purchase ground suitable for a library building, for the use of the Quincy library, and, without unnecessary delay, to erect thereon such building, as commodiously as may be, for that purpose, and, when ready for use, as aforesaid, to lease perpetually said building and ground to the Quincy library, incorporated under the general law, by acts approved January 31, 1823, and January 31, 1835, upon the terms following, to-wit: That said Quincy library shall annually pay to the corporation hereby created, on or before the first day of January of each year, all general or special taxes, insurance and repairs to which said ground and building may be necessarily subjected, and, in addition thereto, six per cent. interest upon the whole cost of said land and building, which shall not have been on said first days of January of each year repaid to the corporation hereby created by the Quincy library; and, upon the due payment of the before mentioned taxes, repairs, insurance and interest, the Quincy library shall forever have the full and entire control, use and possession of said land and building, and Duties of corporation.
Lease.
Rate of interest

may sub-let any part thereof and collect and appropriate the rents thereof: *Provided, nevertheless*, that the Quincy library shall not be required to pay insurance greater than one per cent. upon the whole cost of the building, nor interest upon any part of the cost of the ground and building which said library shall have repaid to the corporation hereby created; and that said library is hereby required to apply all moneys received from rent of the library building, which may remain after payment of taxes, repairs, insurance and interest, to the reimbursement to the corporation hereby created of its outlay for ground and building: *And provided, further*, that when the Quincy library shall be in arrears for two whole years' taxes, repairs, insurance and interest, or shall be in arrears any such part thereof as amounts to the sum of three thousand (3000) dollars, then they shall forfeit their lease aforesaid, and the corporation hereby created may, after six (6) months' notice to the president of the board of directors of said library, take possession of the ground and building aforementioned; but if the corporation hereby created does thus take possession of the ground and building, it shall annually pay to the Quincy library such proportion of the net revenue received from said ground and building as the amount paid by said library towards the reimbursement of the cost of said ground and building shall be to the whole original cost thereof; and said library shall be entitled to a like proportion of the proceeds of sale of the whole or any part of said ground and building.

Indebtedness.

Covenants.

§ 5. On or before the day on which the Quincy library shall take possession under the lease of the ground and building before mentioned, the corporation hereby created shall enter into good and sufficient covenants with the Quincy library to convey to said library all the right, title and interest of the corporation hereby created in the ground and building aforesaid, so soon as the library shall have reimbursed to the corporation hereby created its cash outlay for ground and building; and whenever the Quincy library shall tender to the corporation hereby created any sum, not less than one thousand (\$1000) dollars, in part payment of said outlay, the latter shall receipt for same in triplicate, under its corporate seal, and shall deliver said triplicate receipt to the officers of the Quincy library, and shall, on the day of receipt, enter into a book, to be kept for the purpose, the time, date, amount and purpose of said payment, which book shall be carefully preserved by the corporation hereby created in a place as secure as may be from loss by fire, theft, or otherwise, which book shall at all reasonable times be open to the inspection of the officers of the Quincy library.

Books.

Payments.

§ 6. On or after the first day of January, of each year, the corporation hereby created shall, by its treasurer or

other proper officer, pay to the owners of the stock of said company, for the time being, *pro rata*, the sum of money it shall have received for interest for the preceding year from the Quincy library.

§ 7. This act shall be a public act, and shall be construed benignly and favorably, in all courts and places, for every beneficial purpose herein intended, and shall take effect from and after its passage.

APPROVED February 22, 1867.

Construction of
act.

AN ACT to incorporate the Bloomington Library Association.

In force Feb'y
23, 1867.

WHEREAS, the Ladies Library Association of Bloomington, at its last annual meeting, voted that a charter be procured from the legislature of the state of Illinois, incorporating said association, under the name of "The Bloomington Library Association; therefore,

Preamble.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That David Davis, Ezra M. Prince, Walter M. Hatch, Peter Folsom, William H. Stennet, Benjamin F. Hoopes, Ira J. Bloomfield, Samuel S. Waddle, James H. Robinson, Maria Everly, Mrs. J. N. Waid, Mrs. Lyman Betts, Mrs. Robert Thompson, and Mrs. Joseph Ludington, and their associates and successors, are hereby declared a body corporate and politic, by the name of "The Bloomington Library Association;" and, by that name, shall have perpetual succession, and power to make and use a common seal, to receive, acquire and hold real, personal and mixed property, suitable to the carrying out the objects of this association, and the same to sell, rent, mortgage or put at interest, or otherwise dispose of, in the same manner and as fully as any individual could do with similar property; to contract and be contracted with; to sue and be sued; to defend and be defended; to make such by-laws, rules and regulations, not inconsistent with the laws of this state or the United States, as may be deemed proper for the better government of said association; and shall have all other powers necessary to fulfill the objects of this association.

Corporators.

Name.

Powers and ob-
ligations.

§ 2. The objects of said corporation shall be to establish and maintain a library and reading room, to procure literary and scientific lectures, and otherwise promote the intellectual improvement of its members.

Objects.

§ 3. The officers of said corporation shall be a president, vice-president, secretary, treasurer and a board of five trustees, to be elected at the annual meeting of said association, to be held on the first Saturday of March, of each year. Said officers shall compose the executive committee.

Officers.

Capital stock.

§ 4. For the purpose of advancing the objects of this association, the said executive committee are hereby authorized, from time to time, as they may think proper, to create a capital stock not to exceed in all, the sum of one hundred thousand dollars, divided into shares of fifty dollars each, payable in such installments as said committee shall deem proper, and the same to dispose of, and the proceeds to collect for the use and benefit of said association; and after the payment of all expenses incurred in carrying out the objects of this association, in such manner as the executive committee may think proper, including the erection of buildings for the use of the association, then any overplus arising from the rents and profits of any real estate or buildings purchased or built with such capital stock, by the association, shall be divided, annually, *pro rata*, amongst the stockholders of said association, according to the amount of stock held by them respectively.

Fees and dues.

§ 5. Any person may become a life member upon the payment of fifty dollars to the treasurer of this association; and said life members shall not be liable to pay any annual or other dues; and all sums which may be received by the association for life memberships shall be conveyed and vested in a board of three trustees, whose duty it shall be to invest the same, from time to time, in such manner as they may deem proper; and the principal of said moneys shall be and remain inviolate, and the incomes and issues shall only be used by said association, or be liable for the debts of said association: *Provided, nevertheless*, that the executive committee may, in its discretion, use the proceeds of life memberships, specifically subscribed for that purpose, for the purchase or erection of suitable buildings for the use of the association.

Membership.

§ 6. All persons holding life membership certificates of the Ladies Library Association, aforesaid, on which all taxes due or fines shall have been paid on or before the first day of July, 1867, are hereby declared to be life members of this association: *Provided*, that said last mentioned life members shall pay such equitable dues as may be from time to time fixed by the by-laws of said association; such dues not to exceed such dues as are paid by annual members of said association.

Elections.

§ 7. All life members shall be entitled to vote in all meetings of said association: *Provided*, that no person shall vote who is in arrears of fines or dues.

§ 8. The executive committee shall have power to appoint a librarian and such other subordinate officers as they shall deem proper.

Indebtedness.

§ 9. This corporation shall have power for the purpose of carrying out the objects of this association, from time to time to borrow money and give notes, bonds or other securities therefor.

§ 10. All property of whatever kind, belonging to the Ladies Library Association, aforesaid, is hereby vested in and hereby becomes the property of the association hereby created; and said last mentioned association is hereby authorized and may be sued for and recovered by this association. Property, etc.
vested.

§ 11. This act is hereby declared a public act, and shall take effect from its passage.

APPROVED February 23, 1867.

AN ACT to incorporate the Rockford Library, of the City of Rockford. In force Feb'y
22, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the stockholders of the Rockford Library, of the City of Rockford, and all persons who shall hereafter become associated with them, are hereby constituted a body politic and corporate, by the name of "The Rockford Library;" and, by that name, shall have perpetual succession, with power to make, have and use a common seal, and the same to alter and renew at pleasure; to contract and be contracted with, sue and be sued, implead and be impleaded, answer and be answered unto in all courts of competent jurisdiction; and shall have all other powers and privileges necessary to fulfill the objects of their incorporation. Name and style

§ 2. The objects of said corporation shall be to establish and maintain a reading room and library; and to procure literary and scientific lectures, and to promote the intellectual improvement of its members. Objects.

§ 3. The officers of said corporation shall be a president, vice-president, corresponding secretary, recording secretary, treasurer and five trustees. Officers.

§ 4. Said officers shall be chosen annually, by ballot, by the members of the corporation; and the persons receiving a majority of the votes of the members present shall be declared elected, and shall hold their respective offices for one year or until their successors are appointed. The above named officers shall compose the executive committee, who shall have power to fix the salary of the librarian, and any five of whom may call a special meeting of the association, first giving public notice of such meeting for at least one week, in some newspaper printed in the city of Rockford, and of the time, place and purpose of the same. A majority of said executive committee shall constitute a quorum for the transaction of business. Officers chosen.

Librarian.

§ 5. There shall be an annual meeting of the corporation on the first Saturday of April in each and every year, Meetings.

for the purpose of electing officers, hearing the report of the executive committee, and for the transaction of any other business.

Powers, etc.

§ 6. Said corporation shall have power to define the duties of its officers, appoint such committees, and adopt such by-laws as may be necessary for its government, the management of its concerns and the fulfillment of its objects; and shall be competent, in law and equity, to take to itself, in its corporate name, real, personal or mixed property, by gift, grant, bargain, sale, conveyance, will, devise or bequest of any person or persons whomsoever, and the same estate to grant, bargain, sell, convey, devise, lease or place out at interest, or otherwise dispose of the same, for the use of said corporation, in such manner as shall seem most beneficial thereto: *Provided, however*, that any lot of ground and any building erected thereon, owned by said incorporation, shall never, in any case or for any purpose, by any act of said corporation, be subjected to any mortgage, pledge, legal or equitable lien, bonded or other indebtedness of said corporation.

Bonds required

§ 7. Said corporation may require bond and satisfactory security of its treasurer for the faithful performance of his duties.

Constitution
and by-laws.

§ 8. The constitution and by-laws now adopted by said association shall continue in force until the next annual meeting after the passage of this act, of said association; and all personal property and effects of whatever kind or description now held by said association, or by any person or persons in trust therefor, shall, by virtue of this act, vest in and become the property of the corporation hereby created.

Real estate.

§ 9. The association hereby incorporated shall have power and authority, and are hereby authorized to purchase real estate or other property in the city of Rockford, not exceeding in value the amount of the capital stock created, on such terms as may be determined on by the executive committee aforesaid, to create a capital stock as in this act provided for the purpose of erecting necessary buildings for the permanent occupation of the association, and the production of an income from the rents thereof, for maintaining and replenishing a library and reading rooms, and the procurement of lecturers.

Capital stock.

§ 10. The capital stock of said corporation shall be twenty thousand dollars, divided into shares of twenty-five dollars each, with the privilege of increasing the same, if deemed necessary by the executive committee, to any amount not exceeding fifty thousand dollars: *Provided*, that shares of stock in the Rockford Library, as now recognized, not in arrears for the payment of any installment or installments, may be exchanged for shares of stock in the corporation hereby created.

§ 11. Elias Coper, J. S. Grimes, Thomas D. Robertson, Ralph Emerson, E. H. Griggs, J. B. Lyman and H. P. Holland, or any five of them, are hereby constituted a committee to open books for the subscription of said stock; and the same shall be payable in such installments and at such times as shall be prescribed by a vote of the stockholders. Subscription books.

12. Whenever fifteen thousand dollars of said capital stock shall have been subscribed, a meeting of all the stockholders and members of the association shall be called by the said stock committee, at which meeting the time and manner of payment of stock subscriptions shall be determined by a majority of the stockholders present; and an election of officers shall be held, who shall hold their offices until the next ensuing annual election. And at such election, and at all elections thereafter held, each member of the association shall be entitled to one vote, and each stockholder to one vote for each and every share of stock he may hold, and a majority of all the votes cast shall be required to make an election, and stockholders may vote at such election by proxy: *Provided*, that no stockholder shall be entitled to vote at such elections who may be in arrears for his payment of the installment or installments due on his stock; and no member of the association shall vote unless he has first paid up his regular annual or quarterly dues to the association: *And provided further*, that no person shall be entitled to vote at any such election who is in arrears for fines or assessments levied. Organisation.

§ 13. Persons not stockholders, may become members on payment of such annual or quarterly dues as may from time to time be fixed upon by the executive committee. Membership.

§ 14. After payment for the real estate purchased, and the erection of a building thereon as herein contemplated, and all expenses of keeping up and replenishing the library and reading rooms, and procuring lecturers, then the overplus arising from the rents, issues and profits of any such real estate or buildings, or otherwise, may be divided annually, *pro rata*, among the stockholders, according to the amount of stock held by them respectively. Indebtedness.

§ 15. This act shall be a public act, and, as such, shall be received in all courts, and shall receive a construction favorable to the accomplishment of its objects.

§ 16. This act to take effect from and after its passage.

APPROVED February 22, 1867.

In force Feb'y 23, 1867. AN ACT to incorporate the Ladies' Library Association of Greenville, Illinois.

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| Corporators. | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Almira A. Morse, Lucy B. Stewart, Sarah Sprague, Elizabeth W. Smith, Hannah Chittenden, Mary A. Shields, Priscilla W. Alexander, Emily M. Dewey, Sarah H. Walls and Caroline R. Phelps, and their associates and successors, forever, are hereby declared and created a body corporate, |
| Name and style | by the name and style of "The Ladies' Library Association, of Greenville, Illinois;" and, by that name, shall have perpetual succession; shall be capable in law to contract and be contracted with, to sue and be sued, implead and be impleaded, within in all courts of competent jurisdiction; may receive, acquire and hold real and personal property, suitable to the carrying out the objects of the association; may have a common seal, and alter the same at pleasure; may make such constitution, regulations and by-laws as may be requisite for its government and for carrying out the objects of the association, not contrary to the constitution and laws of the United States, or of this state, and may alter the same at pleasure. |
| Powers. | |
| Constitution and by-laws. | § 2. The constitution and by-laws of said association, now in operation, shall govern the corporation hereby created, until regularly altered or repealed, and the present officers of said association shall be officers of the corporation hereby created until their respective terms of office shall regularly expire or be vacated. |
| Officers. | |
| | § 3. This act shall be deemed a public act, and shall be in force from and after its passage. |
| | APPROVED February 23, 1867. |

In force Feb'y 25, 1867.

AN ACT to incorporate the Hyde Park Library Association.

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| Name. | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That the persons who may become stockholders in the corporation hereby created and hereby made and constituted a body politic and corporate, by the name of "The Hyde Park Library Association," with perpetual succession, and all the rights, privileges, powers and immunities, and subject to all the liabilities incident to a body politic and corporate. |
| Capital stock. | § 2. The capital stock of said company shall be twenty-five thousand dollars. James P. Root, George W. Waite, Paul Cornell, C. M. Cady, James Wadsworth, C. B. Nelson and P. L. Sherman, are hereby appointed commissioners to |

open books of subscription to the capital stock of said company at such time and place as they shall determine. The shares of said stock shall be twenty-five dollars each, and shall be deemed personal property, and shall be transferable as such in the manner provided by the by-laws. When in the opinion of said commissioners a sufficient amount of stock has been subscribed to put in operation said company, the said commissioners, or a majority of them, shall convene a meeting of such subscribers at such time and place as shall seem to such commissioners most convenient; and thereupon the said stock subscribers shall proceed to the election of five directors. When such directors are so elected the company shall be deemed fully organized and may proceed to business. Organization.

§ 3. The said directors shall hold their offices for one year and until their successors are chosen and qualified. They shall elect from their number a president, secretary, and treasurer, who shall perform such duties as shall be imposed upon them by the said board. And the said board shall have authority to make by-laws for the government of said company and rules and regulations for the management of their library and the use of the books. They may determine the amount of installments of the capital stock and fix the time when the same shall be paid. And they may levy and collect such annual assessments on each share as in their opinion the interests to the company may demand. The said board of directors may impose fines or penalties for a violation of the by-laws or the rules of the association, or for failure to pay the installments or assessments, and may collect the same by an action of debt, in any court of competent jurisdiction, or may forfeit the shares of stock on which there remains due or unpaid, after demand, any installment or annual assessment. There shall be an annual meeting of the stockholders, for the election of directors, at such time and place as shall be fixed by the by-laws. Directors.
Officers, etc.
Assessments.
Fines, etc.
Elections.

§ 4. The said company are hereby authorized to acquire, by purchase, gift or grant, a library, which shall be kept for the sole use of the stockholders and such other persons as the directors may deem proper to admit to the use of the same, with all the necessary furniture and apparatus incident to public libraries. The said company are hereby authorized to erect or purchase a building for library or lecture room, and for that purpose may own or occupy so much real estate as they may deem necessary, and may maintain a course of lectures in such building or use the same in such manner as they shall determine, and may sell or dispose of the same whenever it shall be for the interest of the association. Library.
Lectures, etc.

§ 5. This act shall be a public act, and be in force from and after its passage.

APPROVED February 25, 1867.

In force Feb'y 28, 1867. AN ACT to incorporate the Randolph County Library and Historical Association.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That S. P. Mace, J. C. Gilliland, Stewart Gorden, J. C. Campbell, C. Davis, N. G. Parsons and Henry S. Gorden, and their associates and successors, and such other persons as shall become members of said association, shall be a body politic and corporate, by the name and style of "The Randolph County Library and Historical Association;" and shall have succession, a common seal, which they may renew and alter at pleasure, with power to sue and be sued, plead and be impleaded, may appoint all necessary agents and servants, and have and exercise all the powers and rights necessary to execute and carry out the objects of a library and historical association.
- § 2. The said association shall have power to acquire and hold personal property to any amount not exceeding twenty-five thousand dollars, and real estate for the use of said association for halls, reading and library rooms to any amount not exceeding ten thousand dollars.
- § 3. The affairs and business of said association shall be managed and controlled by a board of directors, of not less than seven in number, who shall be elected annually by the life members of said association: *Provided, however,* that a neglect or failure to elect such board at the time designated in the by-laws of said association shall in nowise affect the corporate existence, but the directors in office for the preceding year shall hold over until their successors are elected and qualified, as may be provided by the by-laws of said association.
- § 4. The directors shall have power to make such by-laws not inconsistent with any law of this state or the United States, or conflict with the provisions of this charter, as they may from time to time deem necessary for the government and regulation of the officers of said association, and may, by by-laws, fix the terms of admission into said association as life members, and also for yearly membership, as they deem for the best interests of said association.
- § 5. The persons named in the first section of this act shall be directors until the first day of January, A. D., 1868, and until their successors are duly elected and qualified, in manner hereafter to be provided by the by-laws of said association.
- § 6. This act shall be in force and effect from and after its passage.
- APPROVED February 28, 1867.

AN ACT to incorporate the Young Ladies' Atheneum, of Jacksonville. In force Feb'y 25, 1867.

WHEREAS, it is represented to the general assembly that the Young Ladies' Atheneum, of Jacksonville, is a school for girls, of a high order; and whereas it has been in successful operation since September, 1865, with a constantly increasing patronage, and has now some one hundred and twenty-five pupils and a corps of thirteen teachers, affording the highest order of skilled instruction; and whereas its friends believe it to be an institution urgently demanded by those who desire for young women the highest order of culture; therefore, to the end that it may be established on a firm and enduring basis,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James Burdan, M. P. Ayers, Ralph Reynolds, Henry E. Dummer, Joseph Morton, Isaac L. Morrison, Stephen Sutton, Septimus C. Stevenson, Julius F. Pratt, John Robertson, Samuel G. Weagley, Edward Lambert, Calvin W. McLain, John Goltra, J. W. King, James S. Anderson, Wm. G. Gallaher, O. D. Fitzsimmons and Wm. D. Sanders, are hereby constituted a body politic and corporate, with all the corporate powers necessary to carry out the objects of this act, under the name and style of "The Young Ladies' Atheneum. And the object of this corporation is to maintain, in Jacksonville, Illinois, a school for the education of girls in the various departments of literature, science and art.

§ 2. The corporation hereby created shall have power to sue and be sued in any and all courts of this state; to have and use a common seal, and alter the same at pleasure; to take and hold real estate and personal property, by gift, grant, devise, rent, or purchase, and to manage, rent, lease, sell, convey or in any way use or dispose of the same as it shall seem proper for the promotion of the objects of said corporation.

§ 3. The said corporation may appoint such officers and establish such by-laws, not inconsistent with the laws of this state or of the United States, as they may deem best for the interests of the institution.

§ 4. The persons named in the first section of this act shall constitute the first board of trustees, and shall meet for organization under this act within ninety days after its passage; and they shall hold their offices until their successors are elected, in such manner and at such time as the by-laws shall prescribe. The number of trustees shall be regulated by the board, but shall never be less than seven nor more than twenty-one, and one-third shall constitute a quorum.

§ 5. The institution shall never be perverted to the exclusive uses or subjected to the exclusive control of any

- party or sect, and, as a perpetual guarantee against such perversion, it is hereby enacted that not more than three of its trustees shall be members of any one religious congregation, and no sectarian or partizan test shall ever be held as a requisite for admission to any office or privilege of the institution.
- Partizan tests.
- Literary honors § 6. The trustees may confer such literary honors, certificates, testimonials, degrees and diplomas, as are conferred by any university, college or seminary of learning in the United States.
- Property ex-empt from taxation. § 7. All property, of whatever kind or description, belonging to said Atheneum, or owned by said corporation, or held in trust by any person or persons for the use thereof, whether said property be held in fee or for a limited time, shall be exempt from all state, county, township, municipal or other taxation.
- § 8. This act shall be deemed a public act, and be in force from and after its passage.
- APPROVED February 25, 1867.

In force Feb'y
19, 1867.

AN ACT to incorporate the Chicago Astronomical Society.

- Preamble. WHEREAS an association has been formed in the city of Chicago, called the Chicago Astronomical Society, the object of which is to support an observatory, and diffuse astronomical knowledge; now, in order to encourage the objects of said association,
- Name. Chicago Astronomical, etc.
- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That J. Young Scammon, Thomas Hoyne, William B. Ogden, W. H. Wells, James H. Woodworth, D. J. Ely, J. K. Pollard, Louis C. Jones, Ezra B. McCagg, John C. Burroughs, A. H. Mixer, Thomas B. Bryan, and their associates and successors, forever, are hereby created a body politic and corporate, by the name of "The Chicago Astronomical Society;" and, by that name, shall have perpetual succession; shall be capable in law to sue and be sued, plead and be impleaded, within all courts of competent jurisdiction; may receive, acquire and hold real and personal property and effects, and dispose of the same at pleasure; may have a common seal, and alter the same at their pleasure; may make such constitution, regulations and by-laws, as may be requisite for its government, and for carrying out the objects of the society, and may alter the same at their pleasure.
- Corporators.
- Style.
- Powers in law.
- Real estate. Seal.
- By-laws.
- Old organization in force until new one organized. § 2. The constitution and by-laws of said society, now in operation, shall govern the corporation hereby created, until altered or repealed by the association; and the present

officers of the executive or observatory board shall be the officers of said association, and their tenures of office, powers and duties shall continue the same as now prescribed, appointed by the constitution of said society, until otherwise regulated or changed by the directors of said observatory.

§ 3. All the moneys, property and effects of said society, except the land of the University of Chicago, upon which the observatory tower is erected, shall be held and managed by the directors of said society; and the management of all the affairs of said society, the management and observations of the observatory, the employment of a professor or professors of astronomy and their assistants, the raising of funds and disbursements thereof, and the support and maintenance of said observatory, shall be vested in the directors of said observatory, who shall constitute from their own number an executive or observatory board of said directors; and the members of said observatory board shall hold their offices according to the tenure prescribed by the constitution and by-laws of said society; and the said executive board shall appoint the president, vice president, the secretary, and treasurer, of said board, who shall also act as the officers of said society; and the said board shall transact, regulate and manage all matters pertaining to the said observatory, keep a full and complete record thereof, and make safe and proper investments of all moneys and funds subscribed or entrusted to their care, so as to permanently support and endow the observatory. This society, being an institution formed and maintained solely for the advantage of the public, it and its property and estate, of every name and description, are hereby declared to be exempt from all taxation under the authority of this state.

Management of affairs.

Professors.

Directors.

Officers.

Record.

Investment of funds.

Tax exemption

§ 4. This act shall be a public act, and shall be in force from and after its passage.

APPROVED February 19, 1867.

AN ACT to incorporate the Literary and Library Association of the City of Centralia, Illinois. In force Feb'y 9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the members of the Literary and Library Association of the City of Centralia, Illinois, and all persons who shall hereafter become associated with them, are hereby constituted a body politic and corporate, by the name of "The Literary and Library Association of the City of Centralia, Illinois;" and, by that name, shall have perpetual succession, with power to make, have and use a common seal, and the same

Name.

Power.

to alter and renew at pleasure; to contract and be contracted with, sue and be sued, implead and be impleaded, answer and be answered unto, in all courts of competent jurisdiction; and shall have all other powers and privileges necessary to fulfill the objects of their incorporation.

Objects. § 2. The objects of said corporation shall be to establish and maintain a reading room and library, and to procure literary and scientific lecturers, and to promote the intellectual improvement of its members.

Officers. § 3. The officers of said corporation shall be a president, vice president, corresponding secretary, recording secretary, treasurer, librarian, and six directors. They shall be chosen annually, by ballot, by the members of the corporation; and the persons receiving a majority of the votes of the members present shall be declared elected, and shall hold their respective offices for one year or until their successors shall be appointed. The above officers shall compose the executive committee and board of directors.

Annual meeting § 4. There shall be an annual meeting of the corporation on the third Tuesday of January, in each and every year, for the purpose of electing officers, and transacting all other business that may come before the meeting.

Duties and powers. § 5. Said corporation shall have the power to define the duties of its officers, appoint such committees, and adopt such by-laws as may be necessary for its government, the management of its concerns, and the fulfillment of its objects; and shall be competent, in law and equity, to take to itself, in its corporate name, real, personal or mixed property, by gift, grant, bargain and sale, conveyance, will, devise or bequest, of any person or persons whomsoever, and the same estate to grant, bargain, sell, convey, demise, let, or place out at any interest, or otherwise dispose of the same, for the use of said corporation, in such manner as shall seem most beneficial thereto.

Treasurer. § 6. Said corporation may require bond and satisfactory security of its treasurer for the faithful performance of his duties as such officer.

Constitution and by-laws. § 7. The constitution and by-laws now adopted by said association shall continue in force until altered or amended, as therein provided for, and all personal property and effects, of whatever kind or description, now held by said association or that may hereafter be lawfully acquired by this association, shall, by virtue of this act, vest in and become the property of the corporation hereby created, and may be sued for and recovered in the name of this corporation.

Construction of act. § 8. This act shall be a public act, and, as such, shall be received in all courts, and receive a construction favorable to the accomplishment of its objects.

Membership. § 9. Any person of good moral character may become a member, on the payment of such dues as may be fixed

upon by the board of directors, from time to time, and by signing the constitution and by-laws of this association.

§ 10. This act shall take effect from and after its passage.

APPROVED February 9, 1867.

AN ACT to amend an act entitled "An act to incorporate the Chicago Historical Society," approved February 7, 1857. In force Jan'y 30, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section five (5), of the act to which this is an amendment, be so amended that said society shall have power to increase the number of its resident members, from time to time, to any number that shall be by it deemed expedient. Sec. 5 amended

§ 2. The said society shall have power to borrow money and mortgage its real estate to secure the same to an amount not exceeding twenty thousand dollars, to be used in completing and paying for the buildings now in process of erection on the real estate of said society. And the real estate and property of said society shall be exempt from taxation. Borrow money.

§ 3. This act shall take effect and be in force from and after its passage.

APPROVED January 30, 1867.

AN ACT to consolidate certain townships in Rock Island county, for school purposes. In force April 1, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That township number sixteen north, range five west of the fourth principal meridian, and fractional township sixteen north, range six west of the said meridian, and fractional township seventeen north, range five west of said meridian, and fractional township seventeen north, range six west of said meridian, all being situate in the county of Rock Island, and state of Illinois, be and the same are hereby consolidated and hereafter shall constitute one township for school purposes, which shall be known by the name of "Drury township;" and said township, so constituted as aforesaid, shall succeed to all the rights, credits, liabilities and property of said several townships; and the school officers now acting for township sixteen north, range five west, above mentioned, are hereby constituted and appointed officers. Consolidated townships.
Name;
Officers.

for said consolidated townships ; and they shall hold their respective offices till their successors are elected and qualified, as provided by law.

APPROVED January 30, 1867.

In force Feb'y
13, 1867.

AN ACT to incorporate the Highland Gymnastic Society.

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| Corporators. | <p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Louis Appel, Adolphus Suppiger, Jacob Weber, Theodore Ruegger, Charles Basshard, Selmar Padst, Gustavus Beek and John Blattner, officers of the Highland Gymnastic Society, and their successors and other present members of said society, and such other persons as may hereafter be admitted members of said society, be and hereby are incorporated and made a body politic, with perpetual succession, under the name and style of "The Highland Gymnastic Society," for the promotion of health, mental and moral improvement, and mutual assistance in cases of distress or disease, with power, by their corporate name, to sue and be sued, plead and be impleaded, to contract and be contracted with, to acquire, hold and convey property, real and personal, and to have, use and alter at pleasure a common seal.</p> |
| Name and style. | <p>§ 2. The said corporation shall have power to make, establish and amend a constitution and such by-laws, not inconsistent with the constitution of the United States and of this state, as they may deem necessary for the government of said society, its officers and agents.</p> |
| Constitution # and by-laws. | <p>§ 3. The capital stock of said society shall not exceed ten thousand dollars, to be divided into shares of two dollars and fifty cents each, to be subscribed for and paid in such proportions as shall be prescribed by the by-laws and rules for regulating said society.</p> |
| Capital stock. | <p>§ 4. The office and the meeting of the society shall be kept and held in the town of Highland, county of Madison ; and at all elections each member, who is not in arrears with his dues to the society, shall be entitled to vote, and a majority of all votes cast shall make an election.</p> |
| Office. | <p>§ 5. The members of the society shall be liable to pay such amount of money, at such time and place as may be fixed by the constitution or by the by-laws of the society, or their membership may be declared forfeited, at the pleasure of the society.</p> |
| Payments. | <p>§ 6. The society shall not be dissolved and put in liquidation as long as five members thereof dissent and wish the continuance of the society.</p> |
| Dissolution and liquidation. | |

§ 7. This act shall be a public act, and be in force from and after its passage.

APPROVED February 13, 1867.

AN ACT to incorporate the Alpha Zeta Society of Shurtleff College. In force April 20, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel O. Curtiss, Henry L. Field, Solomon Draper, Frederic Hill, Linn Bedell, Thomas J. Keith, and John M. Titterington, and their successors, be and the same are hereby created a body politic and corporate, to be styled and known by the name of "The Trustees of the Alpha Zeta Society of Shurtleff College;" and, by that style and name, to remain and to have perpetual succession. The said corporation shall remain connected with Shurtleff college, in Upper Alton, and county of Madison, and shall, at all times, be subject to the rules and regulations of said college. The number of trustees shall not exceed nine, exclusive of the president and corresponding secretary, who shall, *ex officio*, be members of the board of trustees. Five members of the board shall constitute a quorum to do business. For the present, the above named individuals shall constitute the board. Vacancies may at any time be filled by the society from its active members. All elections of trustees shall be by ballot. In case any trustee shall be elected president or corresponding secretary, the vacancy or vacancies so occasioned may be filled, for the time, by other members of the society, duly elected for that purpose.

§ 2. The object of this corporation shall be the promotion of the interests of education, by advancing and improving the members of said Alpha Zeta Society in original composition, extemporaneous speaking, debate, criticism, parliamentary business, and whatever else is usually contemplated in the best literary societies—thus preparing its members to discharge honorably and usefully the various duties of life which may devolve upon them.

§ 3. The corporate powers hereby bestowed shall be such only as are essential or useful in the attainment of the objects of said society, and such as are usually conferred on similar corporate bodies, viz: to have perpetual succession, to make contracts, to sue and be sued, defend and be defended, implead and be impleaded in courts of law and equity; 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 or money, belonging to said society, as the society may from time to time direct;

Seal and by-laws to have a common seal, and to alter or change the same; and 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, or of the institution with which this society is connected.

Property. § 4. The action of the said trustees shall, at all times, be subject to the control of the society; and no sales, purchases or exchanges of property, in its behalf, shall occur without the consent of the society. The trustees may elect their own chairman, and through him or any of their number, shall, whenever required, report their proceedings to the society. At the close of each college term, they shall, through their chairman or some other member designated for that purpose, present to the society a full written report of all their proceedings during the term.

Chairman.
Reports:
Donations, etc. § 5. In case any donation, devise or bequest shall be made to the society, for particular purposes, accordant with the objects of the society, and the trustees shall accept the same, every such donation, devise, or bequest shall be applied in conformity with the express conditions of the donor or devisor.

APPROVED February 20, 1867.

In force Feb'y 21, 1867. AN ACT to incorporate the German Roman Catholic Benevolent Association of Aurora.

Name. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John Nicholas Rodner, Joseph Stumm, Mathias Franzen, Carl Neunians, and the other members of the German Roman Catholic Benevolent Association of Aurora, now existing in the town of Aurora, county of Kane, state of Illinois, and such other persons as may hereafter be admitted members of said association, according to the rules and regulations thereof, be and they are hereby declared and constituted a body politic and corporate, under the name and style of "The German Roman Catholic Benevolent Association of Aurora"; and, as such association, and, by its corporate name aforesaid, shall have power to sue and be sued, plead and be impleaded, prosecute and defend, in all actions at law or in equity, and in all courts whatsoever. And, also, in and by said name, to acquire, purchase, hold and convey any property, whether real or personal; to have a common seal, and alter the same at pleasure; to make, alter and change a constitution and by-laws for said association, for the good order and government of the same: *Provided*,

Rights and privileges.

such constitution and by-laws do not conflict with the constitution and laws of this state or of the United States.

§ 2. Said corporation shall not, at any time, hold real estate and personal property to a greater amount than one hundred thousand dollars; and no property owned by said corporation shall be sold, conveyed or encumbered by the officers thereof, without the consent of the said corporation, as provided by the constitution and by-laws thereof. Hold property.

§ 3. The object of this corporation is hereby declared to be the mutual, moral and financial improvement of its members; also, to relieve distressed and disabled members of said association, their families, widows and orphans, and other person or persons in need or distress; also, to bury the dead and to do all other benevolent acts, to relieve suffering and want. Object.

§ 4. The officers of said corporation shall consist of one president, one vice president, one secretary, one assistant secretary, one treasurer. In addition to said officers, there shall be elected appropriate committees, whose duty shall be prescribed by by-laws. Officers.

§ 5. Any member of said association may be expelled from said association for any misconduct, by a vote of two-thirds of the members thereof voting for such expulsion, upon charges and specifications duly filed and presented, as shall be required by the constitution and by-laws of said association. Expulsion.

§ 6. At least ten members shall be present to constitute a quorum for the transaction of business, at the meeting of the members of said association. Quorum.

§ 7. Said association shall pass all necessary by-laws, for the government of the officers of said corporation, the members thereof, and the good government of said association, and the purposes and designs of this act of incorporation; also, for the election of its officers and the proper committees. By-laws, etc.

§ 8. This act shall be a public act, and be in force from and after its passage.

APPROVED February 21, 1867.

AN ACT to incorporate the German Christian Aid Society of Chicago. In force April 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Christian A. Loeber, John Rau, Samuel Wuest, Henry Walpers, August Sezuck, John Symoold, Frederic Metz, and John Wetzler, their associates and successors, be and the same are hereby constituted a body corporate and politic, by the Corporators.

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|-----------------|---|
| Name. | name of "The German Christian Aid Society of Chicago;" and by such name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, implead and be impleaded, defend and be defended, in all and any courts of law or equity; to take by gifts, grants, devise or otherwise, property, personal, real or mixed, and the same use, lease, mortgage, sell or convey, for the promotion of the objects of this incorporation. |
| Object. | § 2. The object of this incorporation shall be to provide for sick members, the widows and orphans of deceased members, and their burial, the intellectual and spiritual welfare of its members, in such manner and to such extent, as by the by-laws of said incorporation may be provided. |
| Seal and powers | § 3. Said incorporation may adopt a seal, and the same from time to time alter and change; and, from time to time, may make, alter, amend or abolish such by-laws, for the management of its affairs and property, and the admission, government and expulsion of members as may seem expedient; and may use and exercise all such further powers as may be deemed necessary for the promotion of the objects aforesaid. |
| Officers. | § 4. The officers of said incorporation shall be a president, vice-president, recording secretary, financial secretary, treasurer, and such other officers as the by-laws may provide, who shall be elected annually by the members of said corporation. Nine members shall constitute a quorum for the transaction of business. |
| Meeting. | § 5. The annual meeting of said incorporation shall be held on the first Tuesday of April, in each year. The corporation above named shall hold their office until the first Tuesday of April, A. D., 1867, and until their successors shall have been elected, who, and their successors, shall hold their office for one year. |
| Elections. | § 6. A failure to elect corporators at any election shall not work a dissolution of this corporation, but the corporators previously elected shall hold their offices until their successors shall be elected. |
| | § 7. This act shall be and is declared to be, a public act. |
| | APPROVED February 21, 1867. |

In force Feb'y 21, 1867. AN ACT to legalize the acts of the First Congregational Society of Joliet, and for other purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the First Congregational Society of Joliet, in Will county, shall not be deemed to have waived or forfeited any of its rights,*

Name.

privileges, powers or franchises, by reason of a failure to file for record in the recorder's office of said county, any certificate or certificates of the election of trustees of said society, heretofore elected by said society; but said society shall have and retain all such rights, privileges, powers and franchises, in the same manner as though such certificates had been regularly filed for record in said office; and the persons now acting as the trustees of said society under elections heretofore had, shall be considered to be the legal trustees of said society and until their successors are elected.

Rights not
waived.

Trustees.

§ 2. That the First Congregational Church of Joliet, with which said society worships, shall have the power to change its constitution and polity to that of a Presbyterian church, at a regular meeting, called for that purpose, and to assume a new name, adapted to such change of polity, at such a meeting: *Provided*, that the time, place and object of such meeting shall be announced from the pulpit of said church on two successive Sabbaths next prior to the time of holding such meeting.

Change consti-
tution.

§ 3. That in the event that the said church shall change its polity, as provided for in section two of this act, then the said society shall have full power to change its name and assume a new name, corresponding to the new name thus assumed by said church, at a meeting thereof, called in the manner now provided for by its constitution; and the trustees and officers of said society, at the time of such change of name, shall continue to be the trustees and officers of said society, under its thus newly assumed name, for the time and term for which they were respectively elected; and said society, under its changed and newly assumed name, shall, in all respects and for all purposes whatever, be the successor of the First Congregational Society of Joliet, and all the rights, privileges, powers, franchises and estate of the said First Congregational Society of Joliet shall enure to and be vested in the said society, under its changed and newly assumed name, to the same extent and as fully, completely and exclusively as the same are now vested in and held by the said society first above herein named; and all of the contracts, liabilities and obligations, of whatever kind, existing at the time of such change of name by said society shall have the same force, effect and obligation with and upon the said society under its changed and newly assumed name that they had with and upon said society when made and entered into.

Change name.

Succession.

Contracts, etc.

§ 4. This act to be in force from and after its passage.
APPROVED February 21, 1867.

In force February 21, 1867. AN ACT to incorporate the Emes Lodge, No. 67, Independent Order of Bnai Brith of Springfield, Sangamon County, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Morris Myers, Samuel Rosenwald, and Silas Leon, and their associates and successors, be and are hereby created a body corporate and politic, to be styled "The Emes Lodge, No. 67, Independent Order of Bnai Brith," to be situated in Springfield, Sangamon county, Illinois; and, by that name, shall have perpetual succession, with power to sue and be sued, plead and be impleaded, prosecute and defend, in all actions of law and equity, in all courts of competent jurisdiction; and be capable in law of taking and holding, by purchase, grant, gift, devise, and otherwise, real and personal property, for the use of said society; and said society, in their said name and style, and for the use thereof, shall have the power to sell and convey the real and personal estate of said society; to have and use a common seal, and to alter the same at pleasure; to make, and, from time to time, to alter, as they may think proper, such rules and regulations for the government of said society as to them may seem expedient, not inconsistent with the constitution and laws of this state and of the United States.*

§ 2. That in all suits of law or equity brought against said corporation, or in any suit brought by said corporation against any of its members, or against any other person or persons, any member of this corporation shall be admitted as a competent witness.

§ 3. The objects and purposes of said corporation shall be to afford aid and relief to the widows and orphans of its deceased members.

§ 4. This act shall take effect from and after its passage.
APPROVED February 21, 1867.

In force February 21, 1867.

AN ACT to incorporate the Sterling Literary Association.

Preamble.

WHEREAS, an association has heretofore been formed in the city of Sterling, Illinois, called "The Sterling Literary Association," the object of which is the establishment of a library and reading room, and for other literary and scientific purposes: Now, therefore, in order to promote and encourage the above declared objects of the said association,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John J. Russell, J. M. Wallace, A. W. Golder, J. M. Patterson,*

Corporators.

F. Vandervort, C. R. Powell, Frank Patterson, C. G. Glenn, R. W. Smith, David Rummell, Edward R. Earl and John F. Mills, their associates and successors, are hereby constituted a body politic and corporate, under the name of "The Sterling Literary Association;" and, by that name, they and their successors shall and may have succession; shall be capable of suing and being sued, contracting and being contracted with; may have and use a common seal, and alter the same at their pleasure, and may take, receive, acquire, purchase, hold, encumber and convey such real and personal property as may be necessary for the purposes of said corporation, and may make and establish such constitution, regulations and by-laws as may be requisite for its government and for carrying out the objects of the association, and not contrary to the laws of the state or of the United States, and may alter the same at their pleasure.

Name and style

Rights and privileges.

§ 2. The constitution and by-laws of said association, now in operation, shall govern the corporation hereby created until regularly altered or repealed by the association; and the present officers of said association shall be officers of the corporation hereby created until their respective terms of office shall expire or be vacated.

Constitution and by-laws.

§ 3. This act shall be a public act, and shall be in force from and after its passage.

APPROVED February 21, 1867.

AN ACT to amend an act entitled "An act to incorporate the Young Men's Christian Association, of Chicago." In force Feb'y 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That, section three of an act entitled "An act to incorporate the Young Men's Christian Association of Chicago," approved February 22nd, 1861, be and the same is hereby repealed; and that section two of said act be and the same is hereby amended so as to read as follows: "This association may purchase, hold, enjoy and convey those certain lots and premises situated in the city of Chicago, in this state, known and described as follows, to-wit: the east seventy-five feet of lot two (2) and the west half of lot three (3), in block one hundred and eighteen (118), in the school section addition to Chicago, being one hundred and twenty feet front by one hundred and eighty-nine feet deep, which shall be forever exempt from taxation, either by state, county, municipal or any other authority or organization, except as hereinafter provided; and this association shall also have power to purchase, hold, enjoy and convey other real estate,

Sec. 3 of prior act amended.

Powers, etc.

for the purpose of establishing and maintaining free libraries and reading rooms, and for benevolent and religious purposes; and the same, while it shall be held or owned by or for said association for its own use, together with all personal property held or owned by or for said association, shall be in like manner exempt from taxation, except as hereinafter provided.

Hold property. § 2. That said association may receive and hold personal property, by gift, devise or purchase, and dispose of the same by gift, lease, sale, or otherwise; may have and use a common seal, and alter the same at pleasure; and may make such rules, regulations and by-laws and change the same, as may be necessary and proper for the control and management of its business and affairs.

Trustees. § 3. T. M. Avery, E. W. Blatchford, J. V. Farwell, William L. Lee, H. E. Sargent, A. R. Scranton, E. B. McCagg, Cyrus H. McCormick, H. A. Hurlbut, George Arnour, E. D. L. Sweet, B. F. Jacobs, and their successors, are hereby constituted the board of trustees of the Young Men's Christian Association of Chicago, and shall hold their office during life, except that in case of removal from the city, loss of standing in the denomination to which he may belong, or by a vote of two-thirds of the whole number of trustees, the place of any member in the board shall be vacant. Said board shall, from time to time, elect from among their number, a president, secretary and treasurer, and a majority of said board shall constitute a quorum for the transaction of business, except when otherwise provided in this act; and they shall have power, by and with the approval of the board of managers of said association, to fill all vacancies in their said board: *Provided*, that all such vacancies shall be filled by the election of persons from the same religious denomination from which the member of said board was elected, whose place is to be supplied.

Real estate. § 4. The title to all real estate now or hereafter to be owned by said association, and all the interest in real estate, shall be vested in and controlled by said board of trustees; and such board shall have exclusive charge and control, leasing of said real estate, and of the moneys of said association used in the purchase and improvement of real estate or derived therefrom, and the expenditures thereof, but not of the other moneys of said association.

Stock. § 5. It shall and may be lawful for said board of trustees to issue and sell certificates of stock, for and in the name of said association, not exceeding an amount outstanding at any one time the sum of three hundred thousand dollars, and bearing interest at not exceeding the rate of six per centum per annum; which certificates shall be signed by the president and attested by the secretary of said board of trustees, and shall have affixed thereto the corporate seal of said association, and shall be exempt from all taxation;

and neither the purchaser or owner of said certificates shall be liable for the debts of said association: *Provided*, said association or said board of trustees may at any time pay, take up and cancel all or any part of said certificates, at not exceeding the par value thereof, and interest thereon shall cease from and after the day whereon notice shall be given to the holder or owner of said certificates that said association is ready to pay the same or within ten days from the date of a notice printed in one of the daily newspapers printed in said Chicago that said association is ready to pay the same.

§ 6. Real estate held by said board of trustees for said association, may be sold only by the unanimous vote of said board of trustees, or by the vote of a majority of said trustees approved by a vote of at least two-thirds of all the members of said association, then in regular standing, and conveyances therefor shall be executed in the same manner as above provided for the execution of certificates of stock.

Disposition of
real estate.

§ 7. Said board of trustees may make and execute such rules, by-laws and regulations as may be necessary and proper for the management of the property and affairs entrusted to them, and not inconsistent herewith; may borrow money for the improvement of real estate held by them, and execute securities for the same on the property improved, which shall be exempt from taxation, in like manner as the certificates of stock, except as hereinafter provided.

Duties of trustees.

§ 8. In case the income of said association exceeds the expenses and disbursements necessary to carry out the object of said association, the exemptions from taxation shall not apply to any such excess.

Income.

This act shall take effect from and after its passage.

APPROVED February 21, 1867.

AN ACT to incorporate the Young Men's Christian Association of Bloomington. In force Feb'y 25, 1867.

WHEREAS an association has heretofore been formed in the city of Bloomington, Illinois, called the Young Men's Christian Association of Bloomington, the object of which is improvement of the spiritual, intellectual and social condition of young men; therefore,

Preamble

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Geo. W. Hordacre, J. Krum, O. Rugg, C. S. Willson, A. Shaw, C. D. Swett, F. Evans, F. Weber, J. P. Ellicott, G. H. Fuller, H. G. Reeves, W. W. Anderson, J. W. Compton,

Corporators.

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| Name and style. | J. C. Scovel, E. Carpenter, J. W. Ward, Brice Shuffield, and their associates and successors, forever, are hereby declared and created a body corporate, by the name and style of "The Young Men's Christian Association of Bloomington;" and, by that name, shall have perpetual succession, |
| Powers. | shall be capable in law to contract and be contracted with, sue and be sued, implead and be impleaded with, in all courts of competent jurisdiction; may receive, acquire and hold real and personal property and effects suitable to the carrying out of the objects of this association; may have a common seal and alter the same at pleasure; may make such constitution, regulations and by-laws as may be requisite for its government and for carrying out the objects of the association, and not contrary to the constitution of the United States or of this state, and may alter the same at pleasure. |
| Constitution and by-laws. | § 2. The constitution and by-laws of said association, now in operation, shall govern the corporation hereby created until regularly altered or repealed by the association; |
| Officers. | and the present officers of said association shall be officers of the corporation hereby created until their respective terms of office shall regularly expire or be vacated. |
| | § 3. This act shall take effect and be in force from and after its passage, and shall be deemed a public act. |
| | APPROVED February 25, 1867. |

In force Feb'y 28, 1867. AN ACT to incorporate the Evanston Philosophical Association.

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| Preamble. | WHEREAS an association has heretofore been formed in the town of Evanston, called "The Evanston Philosophical Association;" the object of which is the increase and diffusion of scientific knowledge, by a museum, a library, by the reading and publication of original papers and by such other suitable methods as shall from time to time be adopted; now, therefore, in order to encourage and promote the above declared objects of the said association, |
| Corporators. | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Henry Bannister, Henry S. Noyes, Francis Broaley, W. J. Leonard, Daniel P. Kidder, Daniel Bonbright, Oliver Marcy, Louis Kistler, Leo. P. Hamline, Lucius H. Bugbee, L. H. Boutell, R. S. Greene, J. H. Kedzie, H. B. Hurd, F. D. Hanenway, James B. Duncan, P. B. Shumway, M. Raymond, Edward Eggleston, J. Gier and J. W. Buckmaster, and their associates and successors, forever, are hereby declared and created a body corporate, by the name and style of "The Evanston Philosophical Association;" and, by that |
| Name and style | |

name, shall have perpetual succession, shall be capable in law to contract and be contracted with, sue and be sued, implead and be impleaded, within all courts of competent jurisdiction; may receive, acquire and hold real and personal property and effects, and may sell and dispose of the same at pleasure; may make such constitution, regulations and by-laws as may be requisite for its government and for carrying out the objects of the association, and not contrary to the laws of the land, and may alter the same at their pleasure.

§ 2. The constitution and by-laws of said association, now in operation, shall govern the corporation hereby created until regularly altered or repealed by the association; and the present officers of said association shall be officers of the corporation hereby created until their regular terms of office shall expire or be vacated. Constitution and by-laws.

§ 3. All the money, property and effects of said Evans-ton Philosophical Association, shall be held and managed by and the title thereto be vested in the board of trustees from time to time being of said association; and all contracts and conveyances of said association, to be binding, shall be executed by the president and secretary of the board of trustees. Vested prop-erty-

§ 4. This act shall be a public act, and shall be in force from and after its passage.

APPROVED, February 28, 1867.

AN ACT to incorporate the Wrightonian Society.

In force Feb'y
28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the literary society of the Illinois State Normal University, known as the Wrightonian Society, and whose object, as stated in the constitution of said society, is the mutual improvement of its members in elocution, composition and debate, is hereby created a body corporate, and, by its present name, to-wit: "Wrightonian Society," its present members, and their successors, shall have perpetual succession; shall be capable in law to contract and be contracted with, sue and be sued, implead and be impleaded, within all courts of competent jurisdiction; may receive, acquire and hold real and personal property and effects, and may sell and dispose of the same at pleasure; may have a common seal, and alter the same at pleasure; may make such constitution, regulations and by-laws as may be requisite for its government and for carrying out the objects of the society, and not contrary to the laws of the land, and may alter the same at pleasure.*

Name.
Powers.

Constitution
and by-laws.

§ 2. The constitution and by-laws of said society, now in operation, shall govern the corporation hereby created until regularly altered or repealed by the society; and the present officers of said society shall be officers of the corporation hereby created until their respective terms of office shall regularly expire or be vacated.

Deeds, etc.

§ 3. All deeds and instruments of conveyance, of every kind intended to convey or transfer any real estate or personal property of said society shall be executed by the president and secretary for the society.

§ 4. This act shall be a public act, and be in force from and after its passage.

APPROVED February 28, 1867.

In force Feb'y 28, 1867. AN ACT to incorporate the Philadelphian Society of the Illinois State Normal University.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the present members of Philadelphian Society of the State Normal University and such other persons as may hereafter become members of said society, according to the constitution, rules and regulations thereof, be and hereby are, created a body politic and corporate, in the town of Normal, county of McLean, under the name and style of "The Philadelphian Society of the State Normal University;" and, by that name, shall have perpetual succession, and shall have power to contract and be contracted with, to sue and be sued, to plead and be impleaded, and to do and perform all such acts and things as are or may become necessary for the furtherance of the purposes of said corporation, as fully and completely as a natural person might or could do, and also to adopt a common seal, and to alter and change, the same at pleasure.

Name and style

Objects.

§ 2. The body hereby incorporated is and shall be a literary society, having for its aim the mental and social improvement of its members.

Further aims.

§ 3. To further the aim of their incorporation, this body may adopt a constitution, by-laws and regulations, not repugnant to the constitution or laws of this state or of the United States, in such manner as shall from time to time seem to them necessary.

§ 4. The body hereby created shall elect and qualify such officers as their constitution and by-laws prescribe, and according to the provisions thereof, who shall hold their offices for such length of time and discharge the duties

thereof in such manner as may be prescribed by the constitution and by-laws of the society.

§ 5. Said body may receive, take and hold any gifts, devices, bequests, or donations which may be made, and may acquire, in fee, or for any less estate, real estate or any personal property necessary or convenient for the promotion of said aim; and in case of a sale or sales of property, real and personal, which future convenience or enlargement may require, the deed or instrument conveying the same shall be executed by the president and secretary, with the corporate seal affixed, under such rules and regulations as the society shall provide. Bequests, etc.

§ 6. This act shall be deemed a public act, and shall take effect from and after its passage, and after its acceptance by said society.

APPROVED February 28, 1867.

AN ACT to incorporate the Ladies' Baptist Education Society.

In force March
7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Mrs. M. K. Everts, Mrs. N. P. Iglehart, Mrs. H. G. Sutherland, Mrs. L. A. Willard, Mrs. O. B. Wilson, Mrs. M. G. Clark, Mrs. M. L. Osgood, Mrs. C. H. Reed, Mrs. C. T. Boggs, Mrs. L. Cornell, Mrs. E. G. Goodspeed, Mrs. Rhuse, Mrs. E. Bixly, Mrs. C. N. Holden, and their associates and successors, are hereby constituted a body corporate, under the name and title of the "Ladies' Baptist Education Society;" and, by that name, shall have perpetual succession, with power to contract and be contracted with, sue and be sued and, generally, to do all acts incident to corporations, at common law, for the purpose and objects of this corporation, which are declared to be to aid in the education of young men for the gospel ministry. It shall have power to acquire by gift, grant, bequest, or purchase, real and personal property, and may use, sell or lease the same, for the objects of the corporation: *Provided*, that all gifts, grants or bequests for special objects shall be applied to the purposes for which they were made. And real and personal property belonging to the said corporation shall be exempt from taxation or assessment for any purpose whatever.* Corporators.

§ 2. The said corporation shall have power to make a constitution and by-laws for the government of its own proceedings and to elect its own officers, managers and trustees. The persons hereinbefore named shall constitute the first board of managers, and shall hold their office till the first annual meeting which shall be on the 25th day of June Corporate name and powers.

Possession of
property, real
and personal.

Proviso.

Constitution
and by-laws.

First board of
managers—
appointment
of new boards.

next ensuing, at which time and annually thereafter on such a day as the said corporation shall appoint, a new board shall be elected. The board of managers shall possess, for the purpose of carrying out the objects of their corporation, all the powers of the corporation itself, subject to the constitution and by-laws which the corporation may adopt.

Trustees.

§ 3. There shall be a board of trustees of the said corporation, who shall have the charge and management of all its permanent funds and real estate, and such other powers as the constitution and by-laws of the corporation may prescribe. J. C. Burroughs, W. W. Everts, Nathaniel Colver, G. W. Northrop, Samuel Baker, L. Church, E. G. Taylor and C. N. Holden, shall constitute the first board of trustees, and shall hold their offices until the first annual meeting, when, and annually thereafter, the corporation shall elect a new board. The board shall meet annually and at such other times as it or its presiding officer may deem expedient. All called meetings to be notified by written notices sent to each member, and three members to constitute a quorum. The board shall have power to choose its own officers, and fix its own by-laws and fill every vacancy which may occur, by death, resignation or otherwise, until the next annual meeting.

Meetings.

§ 4. This act shall be a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force March
7, 1867.

AN ACT to incorporate the Concordia Maennerchor of Chicago.

Preamble.

WHEREAS an association has heretofore been formed in the city of Chicago, called the Concordia Maennerchor, for the cultivation of vocal and instrumental music, and for other æsthetic purposes; now therefore, in order to promote the above declared objects of said association,

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Francis A. Hoffman, Charles Kanffold, Otto Loole, Augustus Beck, Ferdinand Jaeger, Theodore Mendelson, Charles Lorme, and their associates and successors, forever, are hereby declared a body corporate, by the name and style of "The Concordia Maennerchor of Chicago;" and, by that name, shall have perpetual succession; shall be capable in law to contract and be contracted with, sue and be sued, implead and be impleaded, within all courts of competent jurisdiction; may receive, acquire and hold real and personal property and effects, suitable to the carrying out of the objects of the association; may have a common seal, and alter the

Name and style
Powers.

same at their pleasure; may make such constitution, regulations and by-laws as may be requisite for its government and for carrying out the objects of the association, and not contrary to the laws of the land, and may alter the same at their pleasure.

§ 2. This act shall be a public act, and shall be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Marion County Trust and Loan Company. In force March 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John Cunningham, George W. Pace, Benjamin T. Marshall, Henry C. Moore, James S. Martin, David P. Snelling, Daniel K. Green, and Benjamin Lydick, and their associates and successors, and such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The Marion County Trust and Loan Company," to be located in the city of Salem, Marion county, Illinois; and shall have succession, a common seal, with power to sue and be sued, to plead and be impleaded, contract and be contracted with; to appoint all necessary officers, servants, and assistants; and may have, enjoy and exercise all powers necessary to carry out and execute the powers and interests of a trust, deposit and loan company.

§ 2. The capital of the said corporation shall be fifty thousand dollars, with liberty to increase the same to five hundred thousand dollars, to be subscribed and paid for in the manner hereinafter provided, and shall be divided into shares of one hundred dollars, which shall be deemed personal property, and shall be subscribed on the books of said company in such manner as its by-laws may prescribe.

§ 3. The said corporation shall have power to borrow money, and receive money on deposit, and pay interest thereon, and to loan the said money at any rate of interest not exceeding that now or hereafter by law allowed to individuals; and to discount in accordance with bank usage; and in the computation of time thirty days shall constitute one month and twelve months one year; and to take such security, real and personal, as the directors or managers of said company shall deem sufficient; and may buy and sell exchange, bills, notes, bonds, or other securities; may have and hold coin and bullion, and buy and sell the same, issue letters of credit, certificates of deposit, and other commercial obligations: *Provided*, the same shall not be in the

similitude of bank notes, or other evidences of debt, designed to be circulated as money.

Possession of
real estate, etc.

§ 4. It shall be lawful for the company hereby incorporated to purchase and hold such real estate as may be convenient for the transaction of its business, and to take and hold any real estate, in trust or otherwise, as security for or in payment of loans and debts due or to become due to the said corporation or others; to purchase real estate at any sale made in virtue or on account of any loan, debt or mortgage, or trust made to or held by said corporation, and to receive and take in satisfaction of any loan or debt any real estate, and hold and convey the same, and to acquire, hold, possess and use and enjoy the same; to sell, lease, convey and dispose of all such real estate and personal property as it may deem necessary for the use by said corporation or as may be deemed by the directors proper and necessary to carry on the business and accomplish the objects of the corporation or for the promotion of its interests.

Management of
affairs.

§ 5. The affairs of this company shall be managed by a board of directors, of at least five in number, a majority of whom shall constitute a quorum for the transaction of business, who shall be stockholders in the corporation. The election of said directors shall be held by the stockholders when thirty thousand dollars shall have been subscribed to the capital stock of said corporation and ten per cent. paid thereon; and three of the corporators herein named shall be commissioners to open books for subscription.

Election of
directors.

§ 6. The election of directors shall be held annually at the office of the corporation, and the board shall give at least ten days' notice thereof to the stockholders, in such manner as they may determine. Every election for directors shall be by ballot, and the number of shares owned by each stockholder shall be indorsed on the ballot by the person or persons who may receive the same; and a plurality of votes shall elect. Every stockholder shall be entitled to one vote for every share of stock standing in his or their name on the books of the corporation, and he or they may vote in person or by proxy. Any omission or failure to elect directors shall not in any wise impair the rights of stockholders, depositors or others interested; and the directors in office shall hold over until their successors shall have been elected.

Vote of stock-
holders.

Directors—
failure to elect

Stock shares—
calls for.

§ 7. Within sixty days after the election of the first board of directors, as provided in section 5 of this act, the board of directors shall call in an additional sum of ten dollars per share on each share of said stock, to be paid at such time and place as the directors shall appoint, on due notice to said subscribers. The shares of every stockholder omitting to make such payment shall be forfeited, together with all previous payments made thereon. After the payment of five dollars per share on the amount sub-

Organization.

scribed, as provided in the foregoing section, the corporation shall be fully organized; and after the payment of fifteen dollars per share on the whole number of five hundred shares of the capital stock of the corporation, they may commence business in the full enjoyment of the privileges of this charter at such place in the said ——— as the said directors may designate.

§ 8. The board of directors shall have power to call for the payment of the balance due on the subscription to the stock of the corporation, at such time as they may deem proper; and in the event of the non-payment of the balance due by any stockholder on his stock within sixty days after due notice, it shall lawful for the directors, at their option, to enforce such payment or to sell at public auction, to the best advantage, the amount of stock standing in the name of said non-paying stockholders, who shall thereupon cease to be a stockholder in the corporation; and the purchaser or purchasers of said shares of stock shall have and enjoy all the privileges and profits accruing on account to the said shares of stock, and become liable for the payment of all calls then due or thereafter made on such shares of stock.

Balance due on subscription.

§ 9. The board of directors shall have power to declare dividends on the stock of the said corporation, from time to time, after the accumulation of the profits of said corporation shall exceed five per cent. on the amount of capital actually paid in: *Provided*, said dividend shall not reduce the surplus of profits of the corporation below five per cent. on the amount of capital actually paid in; but in no case shall the amount of any dividend be paid over to any stockholder on his or their stock until the amount of twenty-five dollars has been paid into said corporation.

Dividends.

Proviso.

§ 10. At any time after the full payment of the original capital of fifty thousand dollars into the corporation, as hereinbefore provided, the board of directors may increase the capital stock of the corporation to the amount limited or any part thereof, in shares of one hundred dollars each, in such manner as may be deemed proper; and such increase shall be liable and subject to all the liabilities, immunities and privileges of the original stock, as provided in this act. Stockholders shall have the option of subscribing to such increased stock, *pro rata*, within such time as the directors may limit, of which due notice is to be given.

Increase of the capital stock.

§ 11. That any real estate, acquired in fee by this corporation, either by purchase or in payment or satisfaction of any loan or debt, and not held in trust or security by other than what shall be necessary for the convenient use of the same for the transaction of its business, shall not be held by the said corporation longer than ten years, and shall, within that time, be sold and conveyed, either at

Property, etc.—
time of holding

public or private sale, so as to divest the corporation of the title to and fee in the same.

Limitation. § 12. The corporation hereby created shall exist for the term of twenty-five years from the passage of this act.

Stockholders' liabilities. The stockholders herein shall be responsible in their individual property, in double the amount of their stock, to make good all losses to depositors or others; and no assignment of their stock shall release them from said liability until after the fact of such assignment and name of the person to whom made and the amount of said stock shall have been advertised in some public newspaper printed in the county where this corporation is doing business and located, for the period of three months. This act shall be void unless said company shall organize and proceed to business within two years after the passage hereof. The said company shall be subject to the provisions of any law hereafter passed on the subject of banking, trust or deposit companies.

Time of organization limited.

Subject to general banking laws.

§ 13. This act shall take effect and be in force from and after its passage, and shall be a public act.

APPROVED, March 8, 1867.

In force March 8, 1867. AN ACT to incorporate the Edgar County Land and Loan Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James A. Eads and Calvin W. Levings, their associates, heirs and assigns, and all such persons as shall become stockholders in the corporation hereby created, and their successors, shall be a body politic and corporate, by the name and style of "The Edgar County Land and Loan Company;" shall have a common seal, may sue and be sued, make contracts, and have and exercise all the powers and privileges and be subject to all the liabilities of a body corporate and politic, and shall be located at ———.

Name and style

Powers.

Capital stock § 2. The capital stock of said company shall be one hundred thousand dollars, and shall be subscribed and paid for in the manner prescribed by the by-laws. It shall be divided into shares of one hundred dollars each, to be deemed personal property, and transferable as such on the books of the company, in such manner as the by-laws may prescribe. The capital stock may be increased, from time to time, to an amount not exceeding five hundred thousand dollars. Each share of stock shall entitle the holder thereof to one vote, for the purpose of increasing the capital stock.

Business and operations. § 3. The said corporation shall have power to borrow money, and to receive money on deposit, and pay interest

thereon, and to loan money, either within or without this state, at any rate of interest not exceeding that now or hereafter allowed by law to private individuals; and to discount loans; and, in computation of time, thirty days shall be a month and twelve months a year; and to make such loan payable either within or without this state, and to take such securities therefor, real and personal, or both, as the directors or managers of said corporation shall deem sufficient; and may secure the payment of such loans by deeds of trust, mortgages or other securities, either within or without this state; may buy and sell negotiable paper or other securities; may open and establish a real estate agency; may purchase and sell real estate, and shall have power to convey the same, in any mode prescribed by the by-laws of such corporation; may accept and execute all such trusts, whether fiduciary or otherwise, as shall or may be committed to it by any person or persons, or by order of any court or tribunal or legally constituted authority of the state of Illinois, or of the United States, or elsewhere; may make such special regulations, in reference to trust funds or deposits left for accumulation or safe keeping, as shall be agreed upon with the depositors or parties interested, for the purpose of accumulating or increasing the same; may issue letters of credit and other commercial obligations, not however to circulate as money; and may secure the payment of any loans made to said company in any way the directors may prescribe.

§ 4. Married women and minors may, in their own names, subscribe for stock, and deposit money with said corporation, and receive certificates of stock and deposit in their own names; which stock and deposits shall be subject to their order and disposal only.

Minors and married women may subscribe stock.

§ 5. It may be lawful for the company to purchase and hold such real estate as may be convenient and useful for the transaction of its business, and also to take and hold any real estate, in trust or otherwise, for or in payment of loans and debts due and to become due to said company; to bid for and purchase real estate at any sale, whether made in virtue or on account of any loan or mortgage or trust made to or held by or for said company, or in which it is interested or otherwise; and to receive in satisfaction of any loan or debt any real or personal estate, and to hold, use, lease and convey the same.

Possession of real estate, etc.

§ 6. The affairs of the company shall be managed by a board of directors, at least three in number, who shall hold their office for one year and until their successors are elected and qualified. The directors shall have power to appoint other officers and agents, and prescribe their duties; and they may fill vacancies that may occur in the board of directors. The directors shall have power and authority to make by-laws, rules and regulations for the government

Management of affairs.

and well ordering of the business affairs and officers of said company; they shall have the right and power to determine the time and manner in which installments upon capital stock shall be paid; and may declare forfeited any share or shares of stock on which remains due and unpaid any such installment for the period of thirty days, together with all sums paid thereon, or, at their option, may sue for and recover the entire amount of subscription remaining unpaid.

Stockholders —
liabilities of.

§ 7. The stockholders herein shall be responsible, in their individual property, in double the amount of her stock, to make good all losses to depositors or others, and no assignment of their stock shall release them from said liability, until after the fact of such assignment and name of the person to whom made and the amount of said stock shall have been advertised in some public newspaper printed in the county where this corporation is doing business and located, for the period of three months.

Time for organi-
zation limited.

§ 8. This act shall be void unless said company shall organize and proceed to business within two years after the passage hereof. The said company shall be subject to the provisions of any general law hereafter passed on the subject of banking, trust or deposit companies.

Subject to gen-
eral banking
laws.

§ 9. This act shall be deemed and taken to be a public act, and be in force from and after its passage.

APPROVED March 8, 1867.

In force Feb'y
23, 1867.

AN ACT to incorporate the Northwestern Manufacturing Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Lyman E. De Wolf, James H. Knowlton and Egbert Jamieson, and their associates and successors, and all such persons as shall become stockholders, be and they are hereby created* a body corporate and politic, by the name and style of "The Northwestern Manufacturing Company;" and, as such company, shall have perpetual succession, a common seal, the power in law and in equity of suing and being sued, of pleading and being impleaded, contracting and being contracted with; of appointing all necessary officers, clerks and agents, and shall have and enjoy all the powers necessary to carry out and execute the purposes and intent of a manufacturing company.

Name and style

Capital stock.

§ 2. The capital stock of said company shall be two hundred thousand dollars, and may be increased by a resolution of the board of directors of said company, to any amount not exceeding one million of dollars. The capital stock of said company shall be divided into shares of one

hundred dollars each; and the persons named in the first section of this act, or a majority of them, may, at such times and places and on notice as they may decide, open books of subscription to the capital stock of said corporation; and, as soon as one hundred shares of said stock are subscribed and one dollar on each share so subscribed shall have been paid in, they shall call a meeting of the stockholders, by such notice as they may deem best, for the election of directors of said company, and organize the corporation. The principal office of said company shall be located in the city of Chicago.

§ 3. The corporation hereby created shall have power to carry on the business of manufacturing, making and building steam boilers, engines of every description, steam pumps, and every other article or kind of machinery, of whatever nature, and shall also have power to purchase any patent of inventions, of whatsoever nature or kind, and to manufacture and sell the article, machine or other thing so patented, (and the patent therefor purchased by said company,) and to hold, use, sell and convey any patent or patents of inventions purchased by said company, or articles or machinery manufactured by said corporation, in exchange for any property, real or personal; which property, thus obtained, may be held for the use and benefit of the corporation, or be sold and conveyed as its by-laws shall direct. Business and operations.

§ 4. Said company is hereby authorized to receive, in payment for stock, cash, personal property, or such real estate as may, in the estimation of a majority of the board of directors, be advantageous for said company to possess. Payment of stock.

§ 5. The officers of said company shall be a president, vice-president, secretary and a treasurer, and such other officers as may be provided for by the by-laws of said company, and they shall be elected by the directors of said company and shall be removable by said board, at their pleasure. Officers.

§ 6. Said company is hereby authorized and empowered to rent, lease or purchase any tract of land in the state of Illinois or elsewhere, or any building or buildings, for the purpose of carrying on said business of manufacturing and selling said manufactured articles, as before provided for, and to erect on any lands so rented, leased or purchased by them for said purposes, engines and all machinery and fixtures and buildings and every other thing whatsoever necessary to the successful prosecution of said business. Buildings, rent and lease of.

§ 7. The business control of said company shall be and remain in a board of directors of not less than seven nor more than nine persons, who shall be stockholders in said company. The first board of directors shall be elected at a meeting of the stockholders and by a majority of the stock represented at said meeting, as soon as one hundred shares Government.

is subscribed, as hereinbefore provided; and they shall remain such directors until the next annual election or until their successors are elected and enter upon their duties.

Election of
officers.

§ 8. The annual election of directors of said company shall be held at the principal office of said company on the second Monday of January of each and every year; and stockholders may, at such elections, vote in person or by proxy; and all persons receiving a majority vote of the stock represented and voted on at said meeting shall be duly elected directors of said company; but if, for any reason, said annual election should not take place, said company shall not be dissolved on that account, but said board of directors shall remain in office until another board is elected.

By-laws.

9. Said board of directors shall have power to make such by-laws, rules and regulations as they may deem necessary and proper to the successful prosecution and business of said company: *Provided*, said by-laws, rules and regulations shall not conflict with the constitution and laws of the state of Illinois or of the United States.

Compensation
of officers.

§ 10. The board of directors of said company shall have power to fix the compensation of all its officers and define the duties of its respective officers and each of them, by its by-laws.

Indebtedness.

§ 11. Said company shall have power and authority to borrow money, from time to time, on the credit and faith of said company, and to pledge personal property or to mortgage real estate belonging to said company, to secure the payment of any loans so made, or, in place thereof issue the bonds of said company, payable at such time and place and bearing such rate of interest (not exceeding ten per centum per annum,) as said board of directors may deem proper for the promotion of the business of said company.

§ 12. The stock of said company shall be transferred only on the books of said company, by the owner thereof or his attorney.

§ 13. A majority of the board of directors shall constitute a quorum for the transaction of all business.

§ 14. The power conferred by this act shall not be construed to authorize the business of banking.

§ 15. This act shall be in force from and after its passage.

APPROVED February 23, 1867.

In force Feb'y
19, 1867.

AN ACT to incorporate the Chicago Union Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Benjamin F. Russell, John J. Simmons and George H. Glover,

their associates and successors, are hereby made and constituted a body corporate and politic, by the name and style of "The Chicago Union Manufacturing Company;" and, Corporate name and powers. by that name, shall have perpetual succession; may sue and be sued; may have a common seal; make contracts, and own so much real estate as shall be necessary for the transaction of their business; make by-laws, for the government of their officers, affairs and business; and have and enjoy all of the privileges and immunities, and be subject to all the liabilities incident to a body corporate and politic.

§ 2. The said company are hereby authorized to engage Business. in the business of casting or moulding iron, steel or other metals into car wheels, railroad trimmings, or any other article made from metal or composed of metal or wood, and may also engage in the business of manufacturing steel, brass, cars, locomotives or other vehicles, and may establish and operate a depot or store or sales room, for the purpose of storing or selling any of the products of their said business; and may, in connection with their business, deal in iron, steel or other metals, locomotives, car wheels, cars or other vehicles, railroad supplies or other property purchased or owned by them, and may establish agencies for the sale of their said property; but the principal office of said company shall be in Chicago.

§ 3. The capital stock of said company shall be one Capital stock. hundred thousand dollars; and when twenty-five per cent. thereof shall have been paid in the said company shall be deemed fully organized, and may proceed to business. Such capital stock shall be divided into shares of one hundred dollars each, to be deemed personal property, and transferable as such on the books of the corporation, in such manner and subject to such restrictions as shall be imposed by the by-laws; and the said company may impose penalties for a failure to pay the installments due on the capital stock, and may recover the same in any court of competent jurisdiction. The said company are hereby authorized, from time to time, as their business shall increase, to increase their capital stock to an amount not exceeding in all the sum of three hundred thousand dollars. Each share of stock shall entitle the holder thereof to one vote at the election of directors or in the transaction of any other business that shall come before the stockholders.

§ 4. There shall be elected, annually, at such time as Election of directors. the by-laws shall provide, five directors, who shall have the general charge of the business and affairs of said company; and the directors shall elect from their number a president, and secretary, and treasurer, who shall hold their office during the term of their directorship, and perform such duties and exercise such authority as shall be prescribed by the directors, and they may appoint other officers and agents.

§ 5. This act shall be a public act, and be in force and effect from and after its passage.

APPROVED February 19, 1867.

In force Feb'y
22, 1867.

AN ACT to incorporate the Oconto Company.

Corporators.

Name and style

Authority and
powers.

Capital stock.

Officers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Nathan Mars, Eli Bates, Geo. Farnsworth, James C. Brooks and George H. Ambrose, and their associates and successors, are hereby made and constituted a body corporate and politic, by the name and style of "The Oconto Company;" and, as such corporation, shall have perpetual succession; may sue and be sued; have a common seal, which they may alter at pleasure; may make contracts in and about their business; may own so much real estate, in or out of this state, and other property, as they shall deem necessary for the purposes of said corporation, which they may sell, lease or mortgage. Said company are authorized to borrow money and pay interest thereon, not exceeding the legal rate, and to pledge their property and franchises to secure the same, by mortgage, trust deed, or otherwise; may make such by-laws, rules and regulations as they may deem necessary from time to time, for the government, management and prosecution of the affairs of the company and their agents; and have and enjoy all the rights, privileges and immunities and be subject to all the liabilities incident to a body corporate and politic.

§ 2. The capital stock of said company shall be two hundred thousand dollars, and the same may be increased by the stockholders, when, in their opinion, the business of said company shall require it, to an amount not exceeding the sum of five hundred thousand dollars; which capital stock shall be divided into shares of one hundred dollars each, to be deemed personal property, and transferable on the books of said company, subject to such rules and regulations as the by-laws shall provide.

§ 3. The business of said company shall be conducted by a board of five directors, who shall be elected annually by the stockholders; and the said directors shall elect from their number a president, vice president, secretary, and treasurer, who shall hold their offices during the term of their directorship, and perform such duties as shall be prescribed by the by-laws or order of the board of directors; and such board may appoint other officers and agents and prescribe their duties. The said board of directors shall have authority to call in the money due on the capital stock

from time to time, as they shall require for the business of said company, and may declare forfeited any share thereof on which remains due and unpaid for the space of ninety days any installment thereon, and may impose fines and penalties for a violation of the by-laws or the rules of the board.

§ 4. The said company are authorized to own, occupy, and operate one or more saw and planing mills, for the sawing, dressing and cutting of lumber into boards, flooring or other forms, for building purposes; and may manufacture sash, doors, blinds, brackets, mouldings, frames, or other articles manufactured from lumber or timber, and may make shingles, and use and employ machinery in and about their business, propelled by steam or water power; and they are further authorized to purchase and hold land or other estate, for the purpose of cutting therefrom timber and saw logs, and sell said land or real estate; and they are hereby authorized to establish one or more depots or agencies for the sale of any or all of the products of their mills or manufactory; and may purchase timber, logs or lumber, to supply their said mills or agencies; and may sell and dispose of any of their property, whether resulting from their said mills or otherwise: *Provided*, that the principal office of said company shall be located in the city of Chicago, in the state of Illinois.

Object and purposes.

Office of principal of company

§ 5. The said company are hereby authorized to own, buy, sell and operate one or more propellers, steamers, or vessels, for the transportation of their lumber, shingles or other property to market; and they shall be authorized to receive on board of their propellers, steamers or vessels, the property of others, for transportation, and may charge and collect therefor; but in all such cases they shall be subject to all the liabilities incident to common carriers.

Stock described

§ 6. The said company may purchase, take, or hold, by deed, or lease, or otherwise, within or without this state, such wharves, lots, landings, lumber yards, property, stores, or storehouses, and may erect and build such structures and make such improvements thereon, and carry on their business of manufacturing, buying and selling therein and thereon, as shall, in their judgment, promise to prove to their interest and advantage; and may do, generally, all other acts and things without the state which they might do within the state.

May purchase property, etc.

§ 7. This act shall be deemed a public act, and take effect and be in force from and after its passage.

APPROVED February 22, 1867.

In force Feb'y 28, 1867. AN ACT to incorporate the McHenry County Manufacturing Company.

- Corporate name and powers.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William A. McConnell, Samuel A. French, John W. Smith, John Gillilan, James Phillip, S. H. Walker, and Theodore D. Murphy, and their associates and successors, be and they are hereby created and declared a body politic and corporate, under the corporate name of "The McHenry County Manufacturing Company;" and, by that name, may sue and be sued, plead and be impleaded, contract and be contracted with, acquire, receive, and possess, enjoy, alien, convey and otherwise dispose of all such property and effects, real and personal, and do and perform all such other acts and things as shall or may be necessary or convenient for the transaction of the business of said company, as hereinafter indicated, and have perpetual succession, for the term of fifty years, from and after the first day of January, A. D., 1867.
- Business.** § 2. *Be it further enacted,* That the only business in which said company shall be authorized to engage shall be the manufacture of textile fabrics, composed wholly, or in part, of wool or cotton.
- Possession of property, etc.** § 3. *Be it further enacted,* That said company shall be authorized to acquire, by purchase, such land and water power, at any point on Fox river, in the county of McHenry, in the state of Illinois, as may be deemed suitable for the operations of said company, and to erect on such lands all necessary buildings and provide all needful machinery and fixtures for the prosecution of the manufacturing business of said company.
- Principal office.** § 4. *Be it further enacted,* That the principal office of said company shall be at Woodstock, in the county of McHenry; but it shall have an office at the place at which its manufacturing operations shall be carried on.
- Capital stock.** § 5. *Be it further enacted,* That the capital stock of said company shall be two hundred thousand dollars, in shares of fifty dollars each, which shall be transferable by the holders thereof, in such manner and upon such conditions as the by-laws of said company may prescribe.
- Operations.** § 6. *Be it further enacted,* That the said company shall not go into operation until seven hundred shares of its capital stock have been subscribed and twenty-five per cent. thereof upon each share shall have been actually paid, in cash, by the parties subscribing for such shares.
- Stock subscription.** § 7. *Be it further enacted,* That any two or more of the corporators named in the first section of this act may proceed, as commisssioners, to open the books and receive subscriptions for the capital stock of said company.

§ 8. *Be it further enacted*, That when a requisite amount of stock shall have been subscribed for, as provided for in sections six (6) and seven (7), the stockholders may meet at Woodstock, and proceed to organize the said company, by the election of directors. And every stockholder at all meetings of this body, shall be entitled to one vote for each and every share of stock held by him, and shall have the right to vote, either in person or by proxy.

Organization.

§ 9. *Be it further enacted*, That the annual meetings of the stockholders of said company, after the first meeting, shall be held at Woodstock, in said McHenry county, on the first Monday of January, in each and every year; but if, from any cause, no meeting shall be held at the regular time for holding the same, a called meeting of the stockholders may be convened by the president and any two of the directors, at any time within three months after the time for holding the regular meeting; and the business transacted at such meeting shall be as valid and effectual, in all respects, as though it had been transacted at a regular meeting.

Stockholders—
meeting.

§ 10. *Be it further enacted*, That the property, business and affairs of said company shall be managed and controlled by a board of directors, consisting of not less than five nor more than seven members—three of whom shall constitute a quorum for the transaction of business. The first board of directors shall be elected by the stockholders at their first meeting, and shall hold their offices until the next succeeding annual meeting of the stockholders, and until their successors are elected.

Directors.

§ 11. *Be it further enacted*, That the board of directors, at their first meeting after their own election, shall choose one of their number to be president, and another to be vice-president of said company, and shall, also, appoint, from time to time, as they shall think fit, a secretary and treasurer, superintendent, and such other officers, if any, as shall be provided for by the by-laws of said company.

Officers.

§ 12. *Be it further enacted*, That it shall be lawful for the directors of said company to enact such by-laws for the regulation of the affairs of said company, as to them shall seem expedient: *Provided*, that the same be not inconsistent with this act or with the constitution and laws of this state or the United States.

By-laws.

Provido.

§ 13. *Be it further enacted*, That the board of directors shall have power, when in their judgment it shall be expedient so to do, to make calls upon the stockholders for payment by installments upon the shares of stock held by the several stockholders, respectively, until all the shares of stock subscribed for shall have been paid up in full; but no call shall be made for any one installment exceeding twenty-five dollars per share, nor shall said installments be

Calls for stock
subscription.

due until notice of such call shall be published in some public newspaper printed in said county for at least twenty days.

Liens.

§ 14. *Be it further enacted*, That said company shall have a lien upon all shares of stock held by the several stockholders, for the payment of such installments thereon as may be called for by the board of directors, under the provisions of the last preceding section; and if any stockholder shall fail to pay any such installment, when the same shall be required of him, the board of directors may cause his stock to be sold at auction, and out of the proceeds of such sale, first deducting all incidental charges, they shall retain the sum due on such stock for the installment in arrear, and the remaining surplus, if any, shall be paid over to the defaulting stockholder who held the stock so sold.

Liabilities.

§ 15. *Be it further enacted*, That said company shall be liable upon no express contracts, except such as shall be signed by the president or vice-president and countersigned by the secretary of said company.

Possession of property, etc.

§ 16. *Be it further enacted*, That, for the purpose of carrying out the provisions of this act, either in prosecuting their business or improving their water power, this company may enter upon and take real estate or material, by first appraising and making payment or tender of payment therefor, in the same manner as is provided for condemning and appraising lands for right of way by the general laws of this state concerning right of way.

Construction of act.

§ 17. *Be it further enacted*, This act shall be regarded as a public act, and shall be liberally construed in furtherance of the purposes for which said company is incorporated.

Proviso.

Organization.

§ 18. *Be it further enacted*, That this act shall take effect and be in force from and after its passage: *Provided*, that if the corporation hereby created shall not be fully organized within three years from the passage hereof, then this act shall be null and void.

APPROVED February 28, 1867.

In force Feb'y 23, 1867. AN ACT to incorporate the United States Hydro-Caloric Light Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Jacob H. Beidler, Abraham Mayfield, Samuel W. Wadsworth, James F. D. Elliott, Henry M. Beidler, Charles H. Ham, Sidney W. Sea and their associates and successors, and all such persons as shall become stockholders, be and they are

hereby created a body corporate and politic, by the name and style of "The United States Hydro-Caloric Light Manufacturing Company;" and, as such company, shall have perpetual succession, and with power, by that name, to contract and be contracted with; and shall have power to sue and be sued, plead and be impleaded unto, answer and defend in any and all courts of law and equity in this state and elsewhere. The corporation shall have a common seal, and power to appoint such agents and attorneys as it may deem necessary; and to make, ordain and establish such by-laws, rules and regulations for the management of its affairs as it may think proper, not inconsistent with the laws and constitution of the United States and the state of Illinois; and shall be recognized in all its rights and powers, without pleading the same, in all the courts of Illinois.

Corporate name
and powers.

§ 2. The capital stock of said company shall be one hundred and fifty thousand dollars, and divided into shares of one hundred dollars each, and shall be deemed personal property, and transferable on the books of the company, only, under such regulations as may be adopted by the board of directors of said company: *Provided*, that the capital may be increased to four hundred thousand dollars, if the stockholders shall so desire.

Capital stock.

§ 3. The incorporators named in the first section of this act, or a majority of them, shall have power and authority to open books in the city of Chicago and elsewhere, at such time and place as notice thereof may be given, for subscriptions to the capital stock; and as soon as the sum of twenty-five thousand dollars shall be subscribed and such per cent. as said incorporation may require at the time of subscribing for the same shall be paid in, then said incorporators, or a majority of them, shall call a meeting of the stockholders for the election of the first board of directors of said company; which election shall be superintended and managed by the said incorporators acting in the organization of the company, and each share of stock then subscribed for shall be entitled to one vote, to be cast by the person subscribing, or by proxy, as they may see fit; and as soon as the directors shall be elected the said incorporators shall pass over the books, papers and money to said directors, so elected, and said incorporators shall then be discharged from further duties as incorporators under this act.

Stock subscrip-
tion.

§ 4. The officers of said company shall consist of a board of seven directors, a president, a vice president, a secretary and treasurer, who shall hold their offices for one year and until their successors are elected and qualified, by accepting the offices, to which they are elected. A majority of the directors shall form a quorum for the transaction of business; and the board of directors shall have power and authority to appoint, from time to time, such other officers of the company for the management of its business as they

Officers and gov-
ernment.

may deem necessary; and said board of directors shall, also, have power and authority to fill all vacancies in their number; and in case any vacancy shall at any time exist in the office of president, vice president, secretary or treasurer, or if any of said officers shall become disqualified to act, for any cause, said board of directors may fill the same at any regular or special meeting of said board.

Appointments
of officers.

§ 5. The directors first elected under this act of incorporation shall immediately proceed to elect from their number a president, a vice president, a secretary and treasurer; and, at the pleasure of the board, the secretary and treasurer may be the same person; and said board of directors shall also make and adopt such by-laws, rules and regulations for the management of the business of the company as they may deem advisable, not inconsistent with the laws and constitution of the United States and the state of Illinois; and the board of directors may, from time to time, alter or amend said by-laws, rules or regulations, as they may deem necessary for the government of the company and the management of its affairs.

Election
of officers.

§ 6. The stockholders shall elect, on the first Tuesday prior to the day fixed in the by-laws for the commencement of the business and fiscal year of the company, and annually thereafter, a board of seven directors of said company, at such place as the by-laws may provide—each share of stock being entitled to one vote, to be cast either in person by the holder thereof or by proxy, as may be provided for in the by-laws of the company. A majority of the votes given at any and all elections under this act shall decide the same; and it shall be the duty of the directors, when elected, to organize the board and proceed to elect a president, vice president, secretary and treasurer, from their number.

Business and
operations.

§ 7. The company organized under this act of incorporation shall have power and authority to engage in and carry on the manufacturing business in the city of Chicago, or at any place in the county of Cook, or in the state of Illinois, to manufacture lamps and such other articles as said company may desire, for the purpose of bringing into use Beidler's Hydro-Caloric Light, using, to produce the same, petroleum, benzole or refined oils, upon the principle authorized in letters patent issued by the government of the United States; and said company shall have the power and authority to manufacture such machinery and other articles necessary to a full prosecution of the business of making and vending lamps and other articles, for the use of said light, and the promotion thereof; and, for that purpose, said company may purchase, lease and hold such real estate as may be necessary for the machine shops, founderies, finishing shops, office, yards and other grounds; and may, from time to time, change the location of the same, and for that purpose, may sell and convey the property so held and

purchase other land and property at any place or places in the said county of Cook, as said company may deem for its advancement in the manufacturing of said articles and business; and said company may, for the purpose of engaging in said business and carrying on the same, purchase and sell such personal property, stock and materials as may become necessary, from time to time; and shall, also, have power and authority to purchase patents and patent rights, and improvements thereon, for the Hydro-Caloric Light and such as may be connected therewith, in any one or more principles, and articles in which to introduce the same; and may sell rights to manufacturers and others to make, use and vend the same, and convey the same in the corporate name or in the name of a trustee, as the board of directors of said company may deem beneficial for the interests of the company; and to issue stock of said company in payment of the same or any part thereof, as may be deemed for the interest of the company.

§ 8. Said company shall have power and authority to borrow money, from time to time, and to pledge and mortgage the property of the company to secure the payment thereof; and may mortgage property for the purchase money or any part thereof, as the board of directors may deem beneficial for the interest of the company. Indebtedness.

§ 9. The general office of the company shall be in the city of Chicago; and this act shall be deemed a public act, recognized and noticed by all courts as such, without pleading the same. General office.

§ 10. This act shall take effect from and after its passage.
APPROVED February 28, 1867.

AN ACT to incorporate the Rockwood Manufacturing Company.

In force Feb'y
28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Joseph B. Holmes, John Clendenin and James L. Mann, and such persons as they may associate with them, are hereby created a body politic and corporate, by the name and style of "The Rockwood Manufacturing Company," with power to build, maintain and use a steam flouring mill and such other machinery or adjuncts as they may deem necessary, in the town of Rockwood, Randolph county; and by that name, aforesaid, they shall have perpetual succession; may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts and places whatsoever; may have a common seal, and may alter the same at pleasure; and shall be capable in law of purchasing and holding real

Corporate name
and powers.

estate and of conveying away the same, for the purposes and objects of said corporation.

Business and
operations.

§ 2. The said company are hereby authorized to carry on the business of manufacturing meal and flour from the various kinds of grain, and of carrying on the business of manufacturing in as many ways and branches as they may deem for their interests, and to use all such powers and privileges to select such officers, agents, managers and servants, as may be necessary to carry on their business in all its branches; and may increase the corporation to such numbers and their capital stock to such sum as may be necessary for their objects, from time to time; and shall have all the powers to manage and transact their business that a natural person could or might have.

Organization—
officers.

§ 3. The persons named in the first section of this act shall have power to organize the company, and shall act as directors for one year from the date of said organization; they may appoint one of their number president, and may make and establish all such by-laws, rules and regulations as they shall deem necessary for the management and direction of the business, the same being consistent with the constitution and laws of this state and of the United States.

Stock shares.

§ 4. The shares in said company shall be fifty dollars each, and each share shall be entitled to one vote in all elections held by said company; and the directors, as aforesaid, shall have power to borrow money, contract debts, issue their notes or bonds of the company, and may pledge or mortgage their real estate or personal property as security for the same.

§ 5. This act shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

In force Feb'y 28, 1867. AN ACT to incorporate the Ottawa Agricultural Implement Manufactory.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That E. M. Drew, D. F. Cameron, Thomas Cluney, Benjamin F. Shotwell, Robert McPherson, and their successors, be and they are hereby created and constituted a body corporate and politic, under the name and style of "The Ottawa Agricultural Implement Manufactory," and by such name shall have perpetual succession, with power to sue and be sued, and all the powers and authority incident to corporations, for the purposes hereinafter mentioned.*

Name and style

Powers.

§ 2. The capital stock of said corporation shall be one hundred thousand dollars, and may be increased from time to time, at the pleasure of said corporation. It shall be divided into shares of one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors may direct.

Capital stock.

§ 3. The said corporation, for the purpose of carrying on its operations and promoting the establishing of agricultural implement and machinery manufactories, is hereby authorized and empowered to purchase land, erect suitable buildings thereon, procure and set up the necessary machinery; to take, hold, convey, and mortgage real estate; to make and execute contracts, and, generally to do any and all acts necessary for the successful carrying on of a general manufacturing business.

Possession of property, etc.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The first board of directors shall consist of the persons herein named as incorporators; and, thereafter, of not less than three nor more than seven stockholders, who shall be chosen each and every year by the stockholders, at such time and in such manner as the said corporation shall, by its by-laws, prescribe. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen in the board, by death, resignation or otherwise. They may, also, adopt such by-laws, rules and regulations for the government of said corporation and the management of its affairs and business, as they may think proper, not inconsistent with the laws of this state.

Officers and directors.

§ 5. This act shall be deemed a public act, and noticed by all courts as such, and shall take effect from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Chicago Fibre and Paper Company.

In force March 1, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas S. Dickerson, George B. Moss, Harrison B. Meech, J. N. W. Sherman and William Hansbrough, and their associates, be and they are hereby created a body politic and corporate, by the style and name of "The Chicago Fibre and Paper Company," with all the powers incident, necessary and useful to corporations; and, as such, they are authorized to carry on the business of manufacturing fibre and paper

Corporators.

Name and style.

Business.

General office.

from grass, straw or any other kind of paper stock, in the city of Chicago, county of Cook, and state of Illinois, and such other place or places as may be deemed necessary by them for the successful prosecution of their business. The general office of said company shall be in the city of Chicago, state of Illinois.

Capital stock.

§ 2. The capital of said company shall be five hundred thousand dollars (\$500,000,) with power to increase the same to one million dollars (\$1,000,000); to be subscribed and paid for in the manner prescribed by the by-laws to be formed by said company, and shall be divided into shares of one thousand dollars (\$1000) each, which shall be deemed personal property, and shall be transferable on the books of said company in such manner as its by-laws may prescribe. The business of the company shall be managed by a board of directors, the number of which shall be fixed by the stockholders at any annual meeting, to be held at such time as the corporators shall determine.

Shares transferable.

By-laws.

§ 3. The stockholders may pass such by-laws for the management of the business of said corporation as they shall deem proper.

§ 4. This act to be in force from the date of its passage.
APPROVED March 1, 1867.

In force Feb'y 28, 1867. AN ACT to incorporate the Chicago Beater, Cotton and Hay Press Company

Corporate name and powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Aaron N. Hart, James H. Biggs and Ebenezer Higgins, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of "The Chicago Beater, Cotton and Hay Press Company;" and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, plead and be impleaded in all courts and places; to adopt a common seal, and alter the same at pleasure; to adopt such by-laws, rules and regulations as they may deem expedient, and to have and exercise all other rights and powers necessary to carry out the provisions and intentions of this act.

Capital stock.

§ 2. The capital stock of said company shall be fifty thousand dollars, which may be increased, from time to time, at the pleasure of said company, not to exceed three hundred thousand dollars, and shall be divided into shares of one hundred dollars each, and be deemed personal property, and transferable on the books of the company in such manner and subject to such conditions, as may be provided for in the by-laws.

§ 3. Said company shall have power to cut, cure, press and deal in hay, feed and other produce, and purchase and dispose of the patent rights for and to manufacture the beater, cotton and hay press, patented by James A. McGillivare, and all other agricultural implements and machinery; and, for the purpose of carrying on its operations, is hereby authorized and empowered to purchase lands, erect buildings thereon, and set up the necessary machinery; and to take, hold, improve, use, convey and mortgage real estate; to make and execute contracts, and, generally to do all acts and things necessary for the successful prosecution of its said business. Business and operations.

§ 4. All the corporate powers of said company shall be vested in and exercised by a board of directors, and such officers and agents as said board shall appoint. The first board of directors shall consist of said corporators, and thereafter of not less than three nor more than seven stockholders, who shall be elected annually, at such time and in such manner as the by-laws shall prescribe, and shall hold their office until their successors are duly elected and qualified, and may fill any vacancies which may occur in their board, by death, resignation or otherwise. Directors and officers.

§ 5. The principal office of said company shall be in the city of Chicago or in Du Page county. Principal office.

§ 6. This act shall be deemed and taken to be a public act, and shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Hapgood Manufacturing Company.

In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Charles H. Hapgood, William B. Young, George H. Laughton and Seth C. Hapgood, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of "The Hapgood Manufacturing Company;" and by that name shall have succession, a common seal, power to plead and be impleaded, to appoint all necessary officers, servants and assistants; and may have, enjoy and exercise all the powers necessary to carry out and execute the purposes and interests of a plow and agricultural implement manufacturing company: *Provided*, that if the corporation created by this act shall not organize within two years after the passage hereof, then this act shall be null and void. Corporate name and powers.

Proviso.

Subscription to
stock.

§ 2. A majority of the corporators herein named may proceed to open books for subscription to the capital stock of said company, and shall, at the same time, or thereafter, designate a time and place for the first election of directors of said company, by parties subscribing to the stock thereof; and each share of stock so subscribed shall be entitled to one vote. The general office of said company shall be in the city of Chicago, county of Cook, and state of Illinois.

Capital stock.

§ 3 The capital stock of said company shall be two hundred thousand dollars, with power to increase the same to one million dollars, to be subscribed and paid for in the manner which may be prescribed by the by-laws to be adopted by the said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of the said company in such manner as its by-laws may prescribe.

Borrow money.

§ 4. The said corporation shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgage or other security.

Possession of
real estate, etc.

§ 5. It shall be lawful for said corporation to purchase and hold such real estate as shall be deemed necessary for the successful prosecution of its business, and to sell and dispose of the same at discretion, and make, execute, acknowledge and deliver conveyances thereof.

Directors.

§ 6. The affairs of said corporation shall be managed by a board of directors, at least three in number. After the first election, as herein provided, the directors shall be elected by the stockholders, at such time and place and in such manner as shall be established by the by-laws of said company. The directors of said company shall be elected annually, but any failure or omission to elect directors shall in nowise impair or affect the rights and powers of the directors holding over, or the rights or interests of the stockholders or others interested.

By-laws, etc.

§ 7. The directors shall have power to frame a body of by-laws for the election or appointment of all the officers and agents and the management of the business of said company, and to alter the same in the manner to be provided in said by-laws: *Provided*, that the same shall contain nothing inconsistent with the laws or constitution of the state or the United States.

Proviso.

§ 8. This act shall be deemed a public act, and be in force and effect from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the National Brick Machine Company, of Bushnell. In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Silas J. Spicer, George M. Shaffer, John Shaffer, Silas H. Hamilton, O. P. Shaffer, and their associates and successors, be and they are hereby created a body politic and corporate, under the corporate name and style of "The National Brick Machine Company of Bushnell;" and, under and by that name, shall continue for thirty years, and have power to contract and be contracted with, sue and be sued, plead and be impleaded; within all courts of this state, and with full power to themselves and their associates and successors to lease, use, occupy, hold and transfer such real and personal estate in the state of Illinois as in their judgment may be necessary to carry into effect and enjoy and exercise all the powers and privileges granted by this act; which business powers and privileges shall be the manufacture of S. H. Hamilton's brick machines; and this corporation shall have power to operate said manufacturing and charge such compensation therefor as they may deem just and proper; and shall have power to purchase and own and use all such tools, engines and machinery as may be necessary in the construction or use of said machines. The general office of said company shall be in the town of Bushnell, McDonough county, state of Illinois.

Name and style

Powers.

Business powers, etc.

§ 2. Said company may have and use a common seal, and alter or break the same at pleasure, and may make such by-laws, rules and regulations as they may deem necessary, for the use and proper management of the affairs of the same: *Provided*, that none of them shall be in conflict with the constitution or laws of the United States or state of Illinois.

Seal.

By-laws.

Proviso.

§ 3. The company may be organized at any time after the passage of this charter. The officers of the company shall consist of five or seven directors, as the company may think best; also, a president, vice president, treasurer, secretary, and cashier; and the company may elect such other officers as the members thereof may think proper, at such times as they may designate; and all officers shall perform such duties and receive such compensation therefor, and serve for such length of time as the by-laws of the company may prescribe; and said company may appoint such other person or persons as they may deem proper to manage any particular part of the business thereof.

Organization.

Officers.

Compensation.

§ 4. The capital stock of said company shall be four hundred thousand dollars, to be subscribed for and paid in such manner as the company, by its by-laws, may prescribe; and the bonds of the company may be issued in any denomination they may wish; and in demand form: *Provided*,

Capital stock.

Proviso.

they always have national currency or its equivalent deposited with the treasurer to redeem them on presentation.

Shares of stock. § 5. The whole of said capital stock shall be divided into shares of one hundred dollars each, and each share to count a vote in the election of directors and other officers of the company. Said capital stock shall be personal estate, and transferable, by assignment, on the books of the company; which books shall at all times be open to the inspection of all persons owning stock or having any interest in the affairs of the company.

Shareholders' liabilities. § 6. No stockholder shall be individually liable for any debt or demand against the company; but the stock owned by any person shall be liable for the payment of any debt or demand against said company; but when the stock owned by any person shall be taken and applied the person or persons owning such stock shall not be further liable.

§ 7. This act shall be in force from and after its passage.

APPROVED February 28, 1867.

In force March
5, 1867.

AN ACT to incorporate the Valley Iron Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William P. Halliday, David J. Baker, jr., Alfred B. Safford, Daniel Hurd and George D. Williamson, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name of "The Valley Iron Company;" and, by such name, shall enjoy perpetual existence and succession, with power to contract and be contracted with, to sue and be sued, and to plead and be impleaded as a natural person; to take, hold, have and use property, real, personal and mixed, sufficient for the transaction of their business, and to lease and sell and convey the same; to make, have and use a common seal, and to alter, break and renew the same at pleasure; to make by-laws, rules and regulations in respect to the management of their property and the transaction of their business, and also for the government of those in the service of said body corporate; to employ or appoint agents, servants and others, and to transact all business with reference to the objects of its creation: *Provided*, that no by-laws, rules or regulations shall be adopted in violation of the constitution of this state or of the United States.

Capital stock. § 2. The capital stock of said corporation shall be two hundred thousand dollars, divided into shares of one hundred dollars each, which shall be deemed personal prop-

erty, and assignable in such manner as may be prescribed by the by-laws of the said corporation. The capital stock of said corporation may be increased to any amount not exceeding two millions of dollars, by the vote of a majority of the directors. The office for business of said company shall be in the city of Cairo, Illinois.

§ 3. The object and business of said corporation shall be the manufacturing of iron and all the other metals and combination of metals now discovered and used, or hereafter to be discovered. And in order to carry out the said object and to transact the said business, the said corporation shall have power to make iron rails for railroads, and to re-roll iron rails, to mine for coal and iron and other ore, to manufacture iron castings of every size and description, and to carry on the foundery business in all its various branches; to manufacture plows, wagons and all other agricultural implements; to purchase and hold steamboats and other vessels necessary for their business; to erect mills, machine-shops and other buildings necessary to carry on the manufacture of iron and other metals; and to do all things which are necessary to carry out the object and business of said corporation.

Objects and
business.

§ 4. For the purpose of facilitating its business the said corporation is authorized to negotiate a loan or loans of money, not exceeding in the aggregate two-thirds of the amount of its capital stock; to issue bonds, under its corporate seal, therefor, and to secure the same by pledging its property, real, personal and mixed, and its rights, credits and franchises, for the payment thereof.

May borrow
money.

§ 5. All the corporate powers of said corporation shall be vested in and exercised by the board of directors, to be elected as hereinafter provided, and such officers and agents as said board shall appoint.

Directors.

§ 6. Any three, or, in case of death of any one of them, any two of the persons named in the first section of this act, after giving five days' notice in a newspaper published in the city of Cairo, may open books for subscription to the capital stock of said corporation. As soon as said capital stock is subscribed the stockholders shall, without delay, elect of their number three directors, who shall elect one of their number president. The number of directors may be increased by by-law to five or more. The election, qualification, and term of office of officers and agents of the corporation, shall be determined by by-law.

Stock subscrip-
tion.

President.

Increase of di-
rectors.

§ 7. This act shall take effect from the date of its passage.

APPROVED March 5, 1867.

In force March 5, 1867. AN ACT to incorporate the Home Manufacturing Company, of Jacksonville, Illinois.

Preamble.

WHEREAS a corporation, under the name of the "Home Manufacturing Company," has heretofore been organized under the provisions of an act entitled "An act to authorize the formation of a corporation for manufacturing, mining, mechanical or chemical purposes," approved February 18, 1857, the object of which company is the manufacturing and vending of woolen and cotton fabrics; now, therefore, to promote and facilitate the carrying on of the above specified business,

Name and style
Principal office
Powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William T. Beekman, Marshall P. Ayers, Augustus E. Ayers, Hamilton M. Staley, John Gordon, William Richardson, and George M. McConnell, be hereby declared a body politic and corporate, under the name and style of "The Home Manufacturing Company," with their principal office in the town of Jacksonville; and, by that name, shall have perpetual succession; shall be capable in law to contract and be contracted with, sue and be sued, implead and be impleaded in all courts of competent jurisdiction; may borrow money, acquire and hold real estate or personal property, may have a common seal, and alter the same at pleasure; and may alter, extend or enlarge their aforesaid business whenever they may elect so to do.

Powers of directors.

§ 2. The affairs of said company will be managed by a board of seven directors, chosen by the stockholders of said company, four of whom shall constitute a quorum for transacting business, who shall hold their offices until their successors are chosen; shall elect their own officers and fix the compensation of the same; and shall have power to fill any vacancy occurring in this body, from death, resignation or otherwise; and the directors now in office, under the organization mentioned in the preamble to this act shall continue in office until regularly superseded by the election of new directors; which election may be had at any meeting of the stockholders, where two-thirds of the capital is represented; and, in all such elections, as also in the decision of all questions arising before the stockholders or the board of directors, each person shall cast as many votes as he may own shares of the capital stock of said company.

Capital stock.

§ 3. The capital stock of said company shall be one hundred and fifty thousand dollars, divided into shares of five hundred dollars each, to be paid in at such times and in such sums as the said board of directors may direct; but said company may increase the same to any sum not exceeding three hundred thousand dollars, at any meeting of the stockholders of said company, at which all of the

then existing stock thereof shall be represented: *Provided*,
that votes representing two-thirds of such then existing
stock shall be cast in favor of such increase; and the stock
certificates heretofore issued by said company, under the
organization mentioned in the preamble hereto, shall, in all
respects, be deemed and taken to be valid and legal certifi-
cates of ownership in the capital stock herein provided for
until regularly canceled on the books of said company.

§ 4. Said company may, at any time, engage in the
manufacture and sale of any article or articles whatsoever;
may prosecute mining for coal, iron, or other substances;
engage in the transportation of any articles of their own or
other's productions: *Provided*, that nothing herein contain-
ed shall be so construed as to confer any banking privileges;
and the board of directors of said company shall have
power to make and establish rules for calling meetings and
for all purposes, under the provisions of this act: *Provided*,
that in all respects, not herein provided for, said company
shall be governed by the provisions of an act entitled "An
act to authorize the formation of corporations for manufac-
turing, mining, mechanical or chemical purposes," appro-
ved, February 18, 1857.

§ 5. This act shall take effect from and after its passage.
APPROVED March 5, 1867.

AN ACT to incorporate the Illinois Soap-Stone Stove Company.

In force March
5, 1867.

SECTION 1. *Be it enacted by the People of the State of
Illinois, represented in the General Assembly*, That Joseph
Atkinson, Hale Knight, Charles H. Atkinson, and their
associates and successors, are hereby constituted a body
politic and corporate, by the name and style of "The Illi-
nois Soap-Stone Stove Company;" and, by that name, they
and their successors shall, in law, be capable of suing and
being sued, of pleading and being impleaded, in all courts
and places whatsoever. The general office of said company
shall be in the city of Moline, Illinois.

Corporate name
and powers.

General office.

§ 2. Said company may own and possess real estate for
the convenience of their business; may carry on, at Chi-
cago, or elsewhere, the manufacture and sale of soap-stone
stoves, and any other articles made of soap-stone, and per-
taining to their business, as they may require.

Possession of
real estate.

§ 3. The management and direction of the affairs of
said company shall be vested in a board of directors, to be
elected by the stockholders. And said company are hereby
authorized to establish any by-laws or regulations, and to
alter and amend the same, as shall be necessary to carry

Directors.

By-laws.

out the provisions of this act: *Provided*, the said by-laws and regulations do not conflict with or be repugnant to the laws of this state or of the United States.

Capital stock.

§ 4. The capital stock of this company may be fifty thousand dollars, with the privilege of increasing to two hundred thousand dollars, and shall be divided into shares of fifty dollars each.

§ 5. This act shall take effect from and after its passage.

APPROVED March 5, 1867.

In force March
6, 1867.

AN ACT to incorporate the Bureau County Concrete Company.

Corporate name
and powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Stephen G. Paddock, Isaac H. Elliott, George W. Stone, and Hart Rawson, their associates and successors, are hereby made and constituted a body corporate and politic, by the name and style of "The Bureau County Concrete Company;" and, as such corporation, shall have perpetual succession; may sue and be sued; have a common seal; make contracts; and have and enjoy all the rights, privileges and immunities and be subject to all the liabilities of a body corporate and politic, with power to purchase, hold and occupy so much real estate as they may deem necessary for the purposes of the said corporation.

Capital stock.

§ 2. The capital stock of said company shall be ten thousand dollars, to be divided into shares of one hundred dollars each, to be deemed personal property, and transferable as such on the books of the company, in the manner and subject to the restrictions provided in the by-laws. The capital stock may be increased from time to time, to an amount not exceeding in the aggregate the sum of twenty-five thousand dollars. In increasing the capital stock each share of stock shall entitle the holder thereof to one vote.

Directors.

§ 3. The corporate powers of said company shall be exercised by a board of directors, not to exceed five in number, to be elected at such time as the by-laws shall determine. Each share of stock shall entitle the holder thereof to one vote in the election of directors. The directors may elect from their number such officers as they shall deem proper, and may prescribe their powers and duties; and they may appoint other officers and agents.

Business and
operations.

§ 4. The said company shall be authorized to engage in the business of manufacturing and selling concrete brick, building stone, cisterns, well curbing, chimneys, or other articles made of gravel, sand, lime, concrete or other materials or a combination of earthy matter, by any chemical pro-

cess; and may sell and dispose of the same. They may erect houses of the materials manufactured by them, and, if desirable to erect cheap houses, they may hold, sell and dispose of so much real estate as they shall deem proper, or they may construct or erect houses and buildings of such materials and sell and dispose of the same, and may lay tile pipe for the purpose of draining wet lands, and may borrow money and pledge their property to secure the same by mortgage or otherwise.

§ 5. This act shall be a public act, and take effect from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Great Western Agricultural Tool Company. In force March 6, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Ithael S. Richardson, James M. Morrison and Darwin N. Kelsey, and such other persons that may be associated with them for that purpose, are hereby made a body corporate and politic, by the name of "The Great Western Agricultural Tool Company," with perpetual succession; and, by that name and style, shall be capable of receiving, possessing and holding property, and conveying and transferring the same, so far as may be necessary for the purposes hereinafter mentioned; and, in such corporate capacity, may sue and be sued, plead and be impleaded in all courts; have a seal which they may make and alter at pleasure; and have and exercise all the privileges which may be necessary to accomplish the objects of this act. The said Great Western Agricultural Tool Company shall have its principal office in the city of Chicago, and shall have power to locate shops or factories in any part of the state of Illinois, for the furtherance of their advancement in the manufacture of agricultural and other implements, always under the supervision of the board of directors.

Corporate name
and powers.

§ 2. All the corporate powers of said company shall be vested in the board of directors, to consist of not less than three nor more than seven in number, with such other officers or agents as they shall from time to time appoint. The first board of directors shall be Ithael S. Richardson, James M. Morrison and Darwin N. Kelsey, who shall hold their offices, until others are chosen and qualified in their places, at their annual meeting, which shall be holden on the first Tuesday of each year. It shall be lawful for two-thirds of the remaining directors to fill vacancies in that body at any of their meetings; and officers so appointed shall hold their

Directors.

Vacancies.

offices and be subject only to such changes as those elected by the stockholders.

Share vote. § 3. At all elections each share of the capital stock of the company shall entitle the holder to one vote, which may be given in person or by proxy; and all elections shall be conducted by officers chosen by the stockholders.

Rules—by-laws. § 4. Said company shall have power to make all such rules, by-laws and regulations for their government, as, in their judgment, is best suited to their interests: *Provided, however,* they shall not conflict with the laws of the United States or of the state of Illinois.

Proviso. Capital stock. § 5. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one [hundred] dollars each, which said capital may be increased at the pleasure of the stockholders; all which said stock shall be personal property.

Certificates of stock. § 6. Certificates of stock may be issued after the full capital of one hundred thousand dollars is subscribed and paid in to the company, and recorded in the manner and form authorized by the directors.

Dividends. § 7. The directors of said company shall be authorized to make such dividends to the stockholders, to be paid on the first Tuesdays of April and October of each year, as, in their judgment, the business of said company will warrant; and said company are fully authorized to take such risks of insurance amongst their own stockholders, or otherwise, as shall be thought expedient by the board of directors.

Stockholders' risks of insurance.

§ 8. This act shall be deemed a public act, and shall be in force from and after its passage.

APPROVED March 6, 1867.

In force March 7, 1867. AN ACT to incorporate the Excelsior Stove Works, of Quincy, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel Wood, Joseph Esterly and John C. Fisher, their associates and successors, heirs and assigns, be and they are hereby created a body politic and corporate, by the name of "The Excelsior Stove Works of Quincy, Illinois," with perpetual succession; and, by their corporate name, shall have the right to sue and be sued, plead and be impleaded, answer and be answered unto in all courts; to make and to have a common seal, and the same to change, alter or renew at pleasure.

Name.

Seal.

Corporate powers.

§ 2. The said corporation shall have the right to contract and be contracted with the same as a natural person, and may make all such by-laws, rules and regulations for

the regulation and government of said association, its members and officers, as they shall see proper, and alter, change and add to the same at pleasure: *Provided*, such by-laws, rules and regulations are not inconsistent with the constitution of the United States or of this state. The general place of business of said company shall be at the city of Quincy, in the state of Illinois.

Proviso.

Place of business

§ 3. The capital stock of said corporation shall not exceed one hundred thousand dollars, and shall be divided into shares of one hundred dollars each; and the persons named in the first section of this act, may, at such time and place as they see proper, open books for subscription to the capital stock of said corporation and receive subscriptions thereto. The amounts subscribed shall be paid into the treasury of said corporation in five equal installments, as follows: on the first of March, April, May, June and July, A. D. 1867, or at such other times as may be determined by vote of a majority of the stockholders in said corporation. Each stockholder shall be entitled to one vote only: *Provided, however*, no stockholder shall be entitled to a vote who holds less than ten shares of stock in said corporation paid up.

Capital stock.

Subscription.

Proviso.

§ 4. The stockholders in said corporation may elect a president and such other officers as they see proper, who, when elected, shall hold their offices for one year and until their successors are elected and qualified.

President.

§ 5. No person or persons holding or owning stock in said corporation shall sell, assign or transfer the same until after he or they have first given written notice of their wish so to do, at a regular or special meeting of the stockholders of said corporation, held under and in pursuance of the by-laws thereof; nor shall they sell, assign or transfer the same or any part thereof within five years from the passage of this act, without the consent of a majority of the stockholders of said corporation.

Stock—transfer and sale of.

§ 6. A majority vote of the stockholders in said corporation shall be required for the transaction of any business of importance. The majority of such stockholders shall form a quorum for the transaction of the business of said corporation.

Quorum.

§ 7. If any stockholder in said corporation shall be guilty of conduct prejudicial to the interests of said corporation, the same may be inquired into by the other stockholders, at any regular or special meeting held under the by-laws of said corporation; and a majority of such stockholders may deprive the offending party of a vote as such stockholder for such period as they see fit.

Mal-conduct—penalty for.

§ 8. A dividend of the profits arising from the business of said corporation shall be divided among the stockholders thereof in such manner as shall be fixed by the by-laws of said corporation.

Dividends.

Appraisements. § 9. In case of the death of any person owning shares or stock in said corporation, the appraisers appointed by the proper court to appraise the personal property of such deceased shall appraise such shares or stock, and the remaining stockholders in said corporation may purchase such shares or stock so appraised by paying therefor the amount of such appraisement at any time within thirty days after such bill of appraisement shall have been filed in the proper office, if they see proper so to do; and such stock shall not be sold until so appraised.

Business and operations. § 10. The business of said corporation shall be the manufacture and sale of castings. And said corporation may manufacture and sell castings of every sort and description the same as a private person might; and to aid therein, said corporation may lease, purchase, acquire, hold and convey all real estate necessary for such purposes, and erect and maintain thereon all necessary and proper buildings, sheds and other appurtenances usual in the manufacture and sale of such castings.

§ 11. This act shall be and is hereby declared a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force March 6, 1867. AN ACT to incorporate the Chicago Soap and Candle Manufacturing Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of [Illinois], represented in the General Assembly,* That Robert Forsyth, William A. Butters, Henry Fuller, Wilson E. Connor, Robert R. Ball, Henry K. Elkins, John A. Elison, C. B. Mathews, M. O. Walker, W. H. Butters, and such other persons as may associate with them for that purpose, are hereby constituted a body politic and corporate, by the Name and style. name and style of "The Chicago Soap and Candle Manufacturing Company;" and, by that name and style, they and their successors and assigns shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, defending and being defended against in all courts of law and equity, the same Powers. and in like manner and as fully as natural persons; may make and use a common seal, and alter and change the same at pleasure; may make contracts and be contracted with; and shall also have power to purchase and hold any real or personal estate necessary to promote the objects and interests of said corporation, and of selling and disposing of [the] same. The business of said incorporation being

for the manufacture and traffic of soap and candles, as in the caption hereof.

§ 2. The capital stock of said corporation shall be three hundred thousand dollars, which shall be divided into shares of fifty dollars each, and may be increased at any time, by a vote of a majority of the stockholders of said corporation, to a sum not exceeding one million dollars; and the stock of said corporation shall be subscribed for and taken under the direction of the board of directors of said corporation at the time and in the manner prescribed by them; and all shares of said corporation shall be deemed and considered as personal property, and transferable by assignment in the manner and way prescribed by the by-laws of said corporation. Capital stock.

§ 3. The said corporation shall have power to procure the loan of money on any property belonging to said corporation. Loan of money.

§ 4. The said corporation above named shall have power to open books and receive subscriptions to the stock of said corporation; and all moneys and property held and owned by said corporation shall be held, vested and owned in the name of such corporation, and not otherwise. Stock subscription.

§ 5. The affairs of said corporation shall be managed by a board of directors, to be chosen annually by the stockholders from among themselves, on the first Monday of February in each and every year; and Robert Forsyth, William A. Butters, Henry Fuller, Henry R. Elkins and Robert R. Ball, corporators herein named, shall act as directors until an election is held, as above provided; and in case of a failure to elect directors at the time above named an election may be held at any time thereafter, by first giving fifteen days' notice thereof to each stockholder personally, or sent to him through the post office, and mailed at least fifteen days prior to election, or by a notice thereof in a newspaper printed in Chicago. Directors.
First board.

§ 6. Said corporation shall have power to make, ordain and establish all such by-laws, rules and regulations as may be deemed expedient and necessary for the successful prosecution of its business and the management of its affairs and stock of said company. By-laws, etc.

§ 7. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 6, 1867.

In force March
7, 1867.

AN ACT to incorporate the Illinois Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John G. Osborne, G. M. Bogue and Charles H. Machin, their associates and successors, are hereby created a body corporate and politic, by the name and style of "The Illinois Manufacturing Company;" and by that name shall have perpetual succession, may sue and be sued, contract and be contracted with, have a common seal, may make by-laws, and own so much real estate as shall be necessary to carry on their business.

Capital stock. § 2. The capital stock of said company shall be one hundred thousand dollars, but the same may be increased, from time to time, by the stockholders, to an amount not exceeding three hundred thousand dollars, when in their judgment the business of said company requires. Such capital stock shall be divided into shares of one hundred dollars each, to be deemed personal property, and transferable as such on the books of the company, in the manner provided by the by-laws. And the directors may declare forfeited any share on which there remains due and unpaid any installment for the period of sixty days.

Directors. § 3. The said company shall elect, annually, five directors, at such time as the by-laws shall prescribe, who shall have the general management of the affairs of the company; and the directors may elect other officers and agents, and prescribe their duties.

Business and transactions. § 4. Said company are authorized to engage in the business of manufacturing locomotives and railroad furniture and equipments, castings and articles made of wood, metals or of either alone, agricultural or household implements or other articles; and may erect one or more houses for their business, and employ machinery of all kinds in and about the same, and may own [and] occupy so much real estate or personal property as shall be deemed necessary to carry on their business. They may establish depots for the sale of their property, and may sell manufactured articles in connection with their business for other parties on commission. The principal office of said company shall be in Chicago.

Borrow money. § 5. Said company may borrow money, at legal rates of interest, and pledge their property to secure the same, by mortgage or otherwise.

§ 6. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 7, 1867.

AN ACT to amend an act entitled "An act to incorporate the Starved Rock Manufacturing Company," approved February 16, 1857. In force May 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all powers, privileges and immunities mentioned in said act, to which this is an amendment, are hereby revived and continued in force. Powers, etc. revived and continued.

§ 2. That section 9 of the act to which this is an amendment is hereby repealed, and the company shall have three years within which to commence the construction of the dam, and ten years to complete the same, from the date of this act. Sec. 9 repealed.
Time for completion.

APPROVED March 7, 1867.

AN ACT to incorporate the Union Screw and Bolt Company.

In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That T. Prosser, George W. Gillett, Darius H. Wells, Daniel A. Kimbark, and John A. Eastman, and their associates and successors, be and they are hereby created a body politic and corporate, under the name of "The Union Screw and Bolt Company;" and, by that name, to remain in perpetual succession, with power to contract and be contracted with, to sue and be sued, to answer and be answered unto, in all courts and places whatsoever; to acquire, hold and convey property, real, personal and mixed; to have and use a common seal, and alter the same at pleasure; to make and alter by-laws for the government of the corporation, its officers, agents and servants. Corporate name and powers.

§ 2. The said corporation shall have power to manufacture all kinds of wood screws, carriage bolts and springs, lug bolts, machine bolts and nuts, and all other screws and bolts, and the machinery therefor, and the iron and steel necessary for the same; and to erect machine shops and other buildings necessary for the successful prosecution of such business. Business and affairs.

§ 3. The capital stock of said corporation shall be not less than one hundred thousand dollars, and shall not exceed one million dollars, to be divided into shares not exceeding one thousand dollars each. Capital stock.

§ 4. The persons named in the first section of this act, or a majority of them, may cause books to be opened for the subscription of the capital stock of said company; and Subscription to stock.

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| Election of directors. | after fifty thousand dollars shall have been subscribed an election may be held for five directors; and each share of the capital stock shall be entitled to one vote in all elections for officers. |
| Term of office. | § 5. The directors shall hold their office for one year and until their successors are elected and qualified, and shall have the management of all the business of said corporation; they shall choose from their number a president, and shall appoint a secretary and general superintendent, who shall be sworn to a faithful discharge of their duties, and a treasurer, who shall give bond for the faithful discharge of his duties, in such sum as the directors may require. |
| Officers. | |
| Registry books. | § 6. The company shall at all times keep proper books of accounts, in which shall be registered all the business transactions of the corporation, and the same shall at all times be open to the inspection of the stockholders. It shall be the duty of the directors to make annual dividends; and, whenever required by a majority of the stockholders, shall exhibit, at a general meeting, a full and perfect statement of the debts and credits of the company, and all such other matters as may be deemed essential in relation to the affairs of the company. |
| Dividends. | |
| Statements. | |
| | § 7. This act shall be deemed a public act, and shall be in force from and after its passage. |
| | APPROVED March 7, 1867. |

In force March 7, 1867. AN ACT to incorporate the Ottawa Cotton Manufacturing Company.

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| Corporators. | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That B. F. Shotwell, D. F. Cameron, T. Claney, W. Bushnell, George Avery, R. V. Waterman and Julius Avery, and their successors, be and they are hereby created and constituted a body corporate and politic, under the name and style of "The Ottawa Cotton Manufacturing Company;" and, by such name, shall have perpetual succession, with power to sue and be sued, and all the powers and authority incident to corporations, for the purposes hereinafter mentioned. |
| Name and style | |
| Capital stock. | § 2. The capital of said corporation shall be one hundred thousand dollars, and may be increased, from time to time, at the pleasure of the said corporation. It shall be divided into shares of one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors may direct. |
| Powers, etc. | § 3. The said corporation, for the purpose of carrying on its operations and promoting the establishing of cotton or |

woolen manufactories, is hereby authorized and empowered to purchase lands, erect suitable buildings thereon, procure and set up the necessary machinery; to take, hold, mortgage and convey real estate; to make and execute contracts, and, generally, to do any and all acts necessary for the successful carrying on of a general manufacturing business.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The first board of directors shall consist of said named persons, and, thereafter, of not less than three nor more than seven stockholders, who shall be chosen each and every year by the stockholders, at such time and in such manner as the said corporation shall by its by-laws prescribe. The said directors shall hold their office until their successors are elected and qualified, and may fill any vacancies which may happen in the board, by death, resignation or otherwise; they may, also, adopt such by-laws, rules and regulations, for the government of said corporation and the management of its affairs and business, as they may think proper, not inconsistent with the laws of this state. Government and affairs.

§ 5. This act shall be deemed a public act, and noticed by all courts as such, and shall take effect from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Cook County Cement Tile Drain Company. In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Paul Cornell, George, W. Waite, S. M. Fassett, M. R. Pierce and Charles A. Norton, and their associates and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of "The Cook County Cement Tile Drain Company;" and, by that name, shall have perpetual succession, with power to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; to adopt a common seal, and alter the same at pleasure; to adopt such by-laws, rules and regulations as they may deem expedient; and to have and exercise all other rights and powers necessary to carry out the powers, provisions and intentions of this act. Corporators.
Name and style
Corporate powers.

§ 2. Said company, when organized, shall have power to manufacture cement drain and tile pipes, for underground drainage, for chimneys, well and well curbs, and cement blocks, or bricks, and all other materials that can be manufactured out of cement, clay, gravel, sand or other materials, Business transactions and operations.

and to construct, excavate, lay, sell and dispose of the same, in such manner as they may desire; and may own and dispose of so much real estate as they may deem necessary for their business; and may drain the same with cement tile, and erect thereon houses constructed of cement bricks or other materials manufactured by them, and may ornament and improve their said real estate for cheap and comfortable homes, and do all necessary acts to benefit and improve their real estate, by and with the use and application of cement brick or other materials manufactured by them.

Capital stock.

§ 3. The capital stock of said company shall be twenty-five thousand dollars, to be divided into shares of fifty dollars each, to be deemed personal property, and transferable as such on the books of the company, in the manner and subject to the conditions provided by the by-laws, and paid in in the manner and in the installments required by the directors. The capital stock may be increased, by a vote of the stockholders, from time to time, to any amount that may be deemed necessary in carrying on said business, not exceeding in the aggregate one hundred thousand dollars. Each share of stock shall entitle the holder thereof to one vote in the election of directors and to increase the capital stock. The directors may declare forfeited any share of stock on which remains due and unpaid any installment thereon for the space of thirty days. The principal office of said company shall be in Chicago, Illinois.

Share votes.

Forfeitures.

Principal office.

Directors.

§ 4. All the corporate powers of said company shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The first board of directors shall consist of the above named corporators, and, thereafter, of five stockholders, to be chosen annually, at such time and in such manner as the by-laws shall prescribe, and shall hold their office until their successors are elected and qualified, and may fill any vacancy which may happen in the board, by death, resignation or otherwise.

§ 5. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED March 7, 1867.

In force May 7, 1867. AN ACT to incorporate the Spading, Pulverizing and Seeding Machine Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Matthew Laughlin, Lorenzo Brentano, Gustavus E. Buscheck, J. C. Dore, C. D. Elms, George W. Bonham, Elam L. Knott,

A. C. Hesing and A. S. Poston, and all other persons who shall hereafter associate with them, in the manner herein-after prescribed, shall be a body politic and corporate, by the name and style of "The Spading, Pulverizing and Seeding Machine Company;" and, henceforth, shall be known and styled by said name, and shall have perpetual succession; and, under such name and style, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places where legal proceedings are had; to have and use a common seal, and change the same at pleasure; and to have and exercise all the powers, privileges and immunities necessary to carry into effect the objects of this act. Powers.

§ 2. The officers of said corporation shall consist of nine directors, who shall have the management and control of the affairs of said corporation, and shall be elected annually by the stockholders of said company. Said directors may appoint a president, secretary, treasurer and such other officers as may be necessary—to hold their office for one year. The persons named in the first section of this act shall be and constitute the directors of said company until their successors in office shall be elected. Officers.

§ 3. The capital stock of said company shall consist of five hundred thousand dollars, which shall be divided into shares of one hundred dollars each—each share entitling the holder to one vote in all meetings of its stockholders. Said stock shall be considered personal property, and shall be transferable in such manner as the company shall direct. Capital stock

§ 4. Said company are hereby authorized to open books and receive subscription of stock; and all such subscriptions are declared valid, and to be paid at such times and in such installments as said directors may require and order, and if not so paid may be collected by process of law. Stock subscription.

§ 5. Said company, or the directors thereof, shall have power to pass all necessary by-laws and rules for the management of said company and all matters connected with its operations, not inconsistent with the constitution and laws of the United States, and the same to repeal or alter at pleasure. By-laws, etc.

§ 6. Said company is authorized to purchase and hold all real estate that may be necessary to erect buildings for the making, storing and selling the spading, pulverizing and seeding machines mentioned in the foregoing sections, and for which a patent has issued to G. W. Bonham, the same being described in said patent as "An Improved Pulverizer and Seed Sower;" and they may sell and dispose of said real estate, when they choose to do so, and may purchase other property suitable for their said purposes. Possession of real estate.

APPROVED March 7, 1867.

In force March
7, 1867.

AN ACT to incorporate the Globe Manufacturing Company.

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| Corporate name and powers. | <p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Peter H. Willard, Merrill Ladd, Chas. B. Holmes, Amos T. Hall, Charles Gill, Leonard Swett, William E. Rolls, Geo. M. Wheeler, William V. Kay, W. K. Nixon, A. D. Titsworth, Isaac C. Day, C. C. P. Holden and their associates, are hereby created a body politic and corporate, under the name and style of "The Globe Manufacturing Company;" and, as such, shall have perpetual succession; 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 all courts of law or equity in this state or elsewhere; to make, have and use a common seal, and alter and renew the same at pleasure; 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.</p> |
| Capital stock. | <p>§ 2. The capital stock of this company shall be two hundred thousand dollars, the same to be divided into shares of one hundred dollars each, with privilege of increasing the same to any amount not exceeding five hundred thousand dollars.</p> |
| Possession of property, etc. | <p>§ 3. The said company shall have the power to purchase, sell and hold such real or personal estate as may be necessary or desirable to effect the object of their association; also, to make, establish, put in execution, and maintain such by-laws, ordinances or resolutions, not being at variance with the laws of this state or the United States, as may seem necessary or convenient for the regulation and management of their affairs; and do and execute all such acts and things as may be requisite to carry into effect the purposes intended in this act.</p> |
| By-laws, etc. | |
| Business and operations. | <p>§ 4. This company shall have full power and authority to locate, build and operate a manufactory, either by water power or steam, or both, as may be necessary or desirable, upon the bank of Fox river, within the limits of Kane county, for the purpose of manufacturing implements, tools, trimmings, or wares, either of metal, wood, paper, or leather, and to keep the same on hand, or sell and dispose of the same at pleasure: <i>Provided</i>, that nothing in this section shall be so construed as to condemn land for the benefit of said corporation.</p> |
| Proviso. | |
| Authority to be insured. | <p>§ 5. Said corporation shall have full power and authority to cause themselves to be insured, in whole or in part, upon any property belonging to them, held in trust, or on commission, or in which they may in any way be interested; also, to loan their surplus or unemployed capital or money, on personal, real or other securities, at such rates of interest</p> |

as may be done under the existing laws of this state, or invest the same in stocks.

§ 6. The incorporators hereinbefore named, or any five Subscription. of them, are hereby authorized to open books of subscription to the capital stock of said company, which shall continue open until at least one hundred thousand dollars shall have been subscribed thereto, when said subscribers shall meet after three days' notice of such meeting shall have been consecutively published in some daily paper published in the city of Chicago, and, under the direction of three of the incorporators herein named, elect a board of nine directors, to serve until their successors shall have been properly elected.

§ 7. The board of directors above provided shall immediately convene and elect a president, vice president, secretary and treasurer, who shall hold their offices for one year or until their successors shall have been chosen at the next regular election of directors. Election of officers.

§ 8. The election of a board of directors and of officers Elections. of this company shall be held annually, after the first, on the second Monday in January of each and every year, at the office of the secretary of said company—such officer giving at least one week's notice of the same by publication.

§ 9. The board of directors shall have control of the Payment of stock. payment of the capital stock hereto subscribed, and demand and collect the same in such amounts or installments as they may require for buildings, improvements, machinery, repairs, material, labor, or for the furtherance in any way of the interests or objects of this association, and shall have power to declare and order paid, as dividends to stockholders, their equitable interest in the net profits of the business of said corporation. of

§ 10. Upon the election of officers, as hereinbefore provided, and the adoption of their by-laws, ordinances or resolutions, providing for the management of their business, this company shall be deemed as having organized under the provisions of this act. Organization.

§ 11. The board of directors of this company may be increased, at any regular election, to any number not exceeding twenty-one; and any member shall be allowed to vote at such meetings by proxy or in person. The form of proxy and the authentication required shall be specified in the by-laws of said company. Increase of directors.

§ 12. The stock of said company shall be regarded as Stock transferable. personal property, and shall be assignable and transferable according to such rules and restrictions as the board of directors shall from time to time, determine.

§ 13. Suits at law may be maintained by said company Suits at law. against any of its members, for the collection of stock or assessments thereon, or for any other cause relating to the business of said company; and suits at law may also be

prosecuted and maintained by any member against said company. In suits against any of its members, for the collection of stock or assessments thereon, the certificate, under seal, of the secretary of said company, stating the amount of said assessment and that the same remains due and unpaid, shall be taken and received as *prima facie* evidence in all courts and places whatsoever.

Stockholders' liabilities.

§ 14. No stockholder of the corporation hereby created shall be liable, in his individual capacity, for any debt or liability of said company beyond the amount of stock by him subscribed or held.

Construction of act.

§ 15. This act shall be deemed a public act, shall be liberally construed for the purposes herein set forth, and be and continue in force from and after its passage.

APPROVED March 7, 1867.

In force March 8, 1867. AN ACT to incorporate the Dexter Manufacturing and Mercantile Company, of Quincy.

Corporators

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Mrs.*

Name and style

Ellen Dexter, George W. Dexter, David T. Josselyn, Joseph C. Scroggs, William Charles, Joseph Sibley, Thomas Payne, George F. Rutherford, Calvin A. Warren, Alexander E. Wheat, Frederick Rearick, and Hiram Byington, their associates and successors, and all such persons as shall become stockholders in the corporation hereby created, shall be a body politic and corporate, by the name and style of "The Dexter Manufacturing and Mercantile Company, of Quincy;" and shall have perpetual succession; may have a common seal, and alter the same at pleasure; and, by the corporate name aforesaid, may contract and be

Corporate powers.

contracted with, sue and be sued, implead and be impleaded, and acquire, hold and transfer and convey property, real and personal, and choses in action and patents and patent rights, in the same way that natural persons by law may do.

Capital stock.

§ 2. The capital stock of said company shall be one hundred thousand dollars, to be subscribed and paid for in the manner hereafter provided, and shall be divided into shares of two hundred and fifty dollars each, which shall be transferable on the books of the company in such manner as the company may by its by-laws direct.

Subscription to stock.

§ 3. The said named corporators, and each and any of them, are hereby appointed commissioners to receive subscriptions for stock in said company, and shall open proper books for that purpose in the city of Quincy, Illinois, within ninety days after the passage of this act. Every subscriber

for such stock shall pay to said commissioners, or to such of them as may officiate as such, twenty-five per cent. upon the amount of his or her subscription, at the time of said subscription; and, when the amount actually paid in shall amount to the sum of twelve thousand five hundred dollars, including the amount actually paid out in money by or for the said Mrs. Ellen Dexter, for the procuration of a certain patent right, issued out of the patent office of the United States to her on and dated June 5, A. D., 1866, for the manufacture and sale of an instrument known and designated as Mrs. Ellen Dexter's Abdomino-Uterine Supporter, and for the machinery and stock and expenses incurred and paid out for and by her in the development and manufacture of the instrument so patented to her, which said amount may be ascertained and established by the affidavits of any of the parties making such payments or knowing of the same having been made, or in manner satisfactory to said commissioners or to such of them as may officiate in the matter as such, the said company shall go into operation, and shall organize by the election of a president, secretary, and treasurer, who shall collectively constitute a board of directors of said company, and shall manage and control the business thereof, subject, however, to such by-laws as may be passed in conformity with this act.

§ 4. At the election of said board of directors, each stockholder shall cast as many votes as he or she holds shares of the capital stock of said company; and a plurality shall elect. The board of directors shall be elected annually, at a meeting of the stockholders to be called by the president, of which meeting seasonable notice shall be given to the stockholders.

§ 5. The board of directors shall determine the manner and time of payments to be made upon the stock subscribed upon the books of said commissioners; and the shares of stock which shall not be taken at or before the organization of said company shall be the property of the company, to be disposed of as the corporation may by by-laws direct.

§ 6. The object and business of said company shall be the manufacture and sale of abdomino-uterine supporters, for use of males and females, and all or any kind of articles patented, for which the patent right may be obtained, as also all other articles for surgical or domestic and ordinary use which the said Ellen Dexter now has or may hereafter acquire the right to manufacture and sell; and for these purposes it may use and exercise all and singular the corporate powers conferred upon it by section first of this act, said Ellen Dexter consenting thereto.

§ 7. The stockholders at their annual and special meetings, may adopt any and all by-laws and regulations concerning the business of said company and the disposal of its funds and property, not inconsistent with this act and

Organization
and operation.

Election
of directors.

Payment
of stock.

Object and business.

By-laws.

the laws of this state; which by-laws and regulations shall be obligatory upon the board of directors, officers and members of said company; and certified copies of the minutes, by-laws and records of said company, with or without the corporate seal of said company attached, shall become as *pima facie* evidence of the facts therein appearing in all courts.

§ 8. Special meetings of the stockholders may be called at any time by the president or any two directors, but no business shall be transacted at any such special meeting unless a majority of the shares subscribed be therein represented.

§ 9. At all meetings of the company stockholders may vote by proxy, and shall, in all cases, cast as many votes as they respectively hold shares of the capital stock of said company.

§ 10. This act shall take effect from its passage.

APPROVED March 8, 1867.

In force March
8, 1867.

AN ACT to incorporate the United States Wine Company, of Nauvoo.

Corporate name
and powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John Bauer, Frederick Baum, August Berger, Edwin Wasserzieher and Andrie Burtin, and their associates, successors and assigns, be and are hereby created a body politic and corporate, under the name and style of "The United States Wine Company, of Nauvoo;" and, under and by that name and style, they and their successors shall have power to contract and be contracted with, to sue and be sued in all courts and places whatsoever; may have a common seal, and may break or alter the same at pleasure; may make such by-laws, rules and regulations as they may deem necessary for the government and management of their business as a company.

Possession of
real estate, &c

§ 2. The said company may purchase and hold such real estate as may be necessary for their business purposes, and erect such buildings thereon as may be necessary to the purposes herein contemplated, and may adopt a trade mark; and if any person or persons shall copy or imitate, or cause to be copied or imitated said trade mark, for the purpose of defrauding said company, the person or persons so offending shall be deemed guilty of a misdemeanor, and may be punished, upon conviction thereof, by fine, in any sum not exceeding five hundred dollars, and by imprisonment in the penitentiary not exceeding five years, or both, at the discretion of the court, and shall forfeit and pay to said corporation

Trade marks—
penalties
for
imitating.

the amount of damages sustained by reason of such offence, to be recovered in the name of said company, with costs of suit, in an action of trespass on the case.

§ 3. The capital stock of said company shall be one hundred thousand dollars, divided into shares of fifty dollars each. Capital stock.

§ 4. When one hundred shares of said stock shall be subscribed and paid or secured to be paid, the persons named in the first section of this act are authorized to organize, by appointing a president and secretary and such other officers and agents as they may deem necessary. Organization.

§ 5. The persons named in the first section of this act shall be the directors of the company for one year from the organization thereof, and until their successors are elected and qualified, three of whom shall be a quorum and may transact all the business of said company, in the same manner and to the same extent that natural persons might or could do; may sell, convey, mortgage or pledge all or any part of their real estate, and do any act, not contrary to law, that may be necessary to the successful prosecution of the business of said company. Directors.
Quorum.

§ 6. The affairs of this corporation shall be managed by a board of five directors, who shall be elected annually, (each share having a vote,) and continue in office until their successors are chosen. Directors.

§ 7. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 8, 1867.

AN ACT to incorporate the Chicago White Lead Company.

In force March
9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William G. Lewis, Charles H. Hane, James D. Sturges and Joseph B. Lewis, and their associates, are hereby created a body politic, under the name and style of "The Chicago White Lead Company." As such, shall have perpetual succession; may contract and be contracted with, and may sue and be sued in any court whatever, with powers and privileges as are hereinafter provided. Corporators.
Name and style

§ 2. The capital stock of said company shall not exceed five hundred thousand dollars, in shares of one hundred dollars each; but when fifty thousand dollars shall have been actually subscribed and paid in, in cash, the said company may organize and proceed to business under this charter. Capital stock.

§ 3. The business and the corporate powers of said company shall be exercised by a board of directors, not exceed- Directors.

ing five nor less than three. The above named persons, corporators, shall be members of the first board, and, annually thereafter, after its organization, the stockholders shall elect directors. The directors shall have power to make such by-laws for the conducting of the business of the company, as are not inconsistent with the laws of this state or of the United States.

Possession of real estate, etc. § 4. It shall be lawful for said company to lease, purchase, hold and convey all such real and personal estate as may be necessary to carry on its business, as well as such real and personal estate as it may be deemed necessary to acquire in the enforcement or settlement of any claim or demand arising out of its business transactions, and to sell or exchange the same for other property, as it may be determined the interests of the company require.

Business and operations. § 5. The said company is hereby authorized and empowered to carry on the manufacture of white lead, colors, zinc, varnishes, oils, and all other articles comprised in the stock of a general paint business. Said manufacture to be carried on in the city of Chicago or at any other point in the state of Illinois deemed best for the interests and prosperity of said company. The general office of said company shall be in the city of Chicago.

Stock. § 6. The stock of said company shall be transferable only on the books of the company.

§ 7. This act shall take effect from and after its passage, and be deemed a public act, and liberally construed as such.

APPROVED March 9, 1867.

In force March
9, 1867.

AN ACT to incorporate the Jessup Supply Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James W. Odell, Samuel J. Glover and William M. Luff, their associates and successors, be and are hereby constituted a body corporate and politic, under the name and style of "The Jessup Supply Company," with all powers, rights, privileges and immunities incident to corporations and necessary and useful for the purposes of this act.

Name and style Powers. Capital stock. § 2. The capital stock of said corporation shall be one hundred thousand dollars, and be divided into shares of one hundred dollars each, and it may be increased, from time to time, as a majority of the stockholders may direct, and shall be issued and transferred in such manner and under such conditions as the directors of the said company shall, by the by-laws thereof, prescribe.

§ 3. The corporate powers of the said company shall be vested in and exercised by a board of directors, consisting of such number of persons, not less than three nor more than seven, as the stockholders of said company may from time to time direct. The said directors shall be chosen by the stockholders at such time and place as may be fixed by the by-laws of the said company, and shall hold their offices for one year and until their successors are elected and qualified. They shall elect one of their number president of said company, and may fill any vacancy in the said board occasioned by death, resignation or otherwise, for the unexpired portion of the term of office so becoming vacant; and may make such rules, by-laws and regulations, and appoint such officers and servants as they may, from time to time, deem expedient. Until an election of directors as herein provided, the persons named as corporators in the first section of this act, shall constitute a board of directors and shall have and may exercise all the powers of such board.

Government
of affairs.

§ 4. The said corporation shall have power to manufacture, purchase and sell iron, copper and steel wares, machinery, and all parts of the same, and railway supplies and materials for the manufacture of the same. And the general office of said company shall be in the city of Chicago.

Business and
operations.

§ 5. The said corporation shall have power to acquire and hold such real and personal estate as may be necessary for the purposes of this act, and the same may sell and convey at pleasure. It may borrow money and may secure the payment of the same by deed of trust, mortgage or other security.

Hold property.

§ 6. This act shall be deemed a public act, and shall take effect from and after its passage.

APPROVED March 9, 1867.

AN ACT to incorporate the Chicago Iron Works.

In force Feb'y
22, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Fred. Letz, George F. Letz, William H. Chenoweth and George F. Klein, and their associates, successors and assigns, and all such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The Chicago Iron Works;" and shall have perpetual succession, a common seal, with power to break, alter and renew the same at pleasure, and shall have power to contract and be contracted with, to plead and be impleaded, sue and be sued, in all courts and

Corporators.

Name and style

Powers, etc.

places whatsoever, and appoint all necessary officers, servants and assistants, and may have and enjoy and exercise all the powers necessary to carry out and execute the purposes and intents of a general wrought iron and cast iron manufacturing business: *Provided*, that if the corporation created by this act shall not organize within two years after the passage hereof, then this act shall be null and void.

Duties of corporation.

§ 2. A majority of the corporators herein named may proceed to open books for subscription to the capital stock of said company, and shall, at the same time, or thereafter, designate a time and place for the first election of directors of said company, by parties subscribing to the stock thereof, and each share of stock so subscribed for shall be entitled to one vote.

Capital stock.

§ 3. The capital stock of said company shall be fifty thousand dollars, with power to increase the same to one hundred thousand dollars, to be subscribed for in the manner which may be prescribed by the by-laws to be adopted by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of the said company in such manner as its by-laws may prescribe.

Indebtedness.

§ 4. The said corporation shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgage or other security.

Real estate.

§ 5. It may be lawful for the company hereby incorporated to purchase and hold such real estate as may be deemed necessary by them for the successful prosecution of their business, and may have power to convey the same.

Government of affairs.

§ 6. The affairs of the company shall be managed by a board of directors, at least three in number. After the first election, as herein provided, the directors shall be elected by the stockholders, at such time and place and in such manner as shall be established by the by-laws of said company. The directors of said company shall be elected annually, but any failure or omission to elect directors shall in nowise impair or affect the rights and powers of directors holding over, or the rights or interests of stockholders or others interested.

By-laws.

§ 7. The directors shall have power to frame a body of by-laws, for the election or appointment of all officers and agents of said company, and to alter the same, in the manner to be provided in said by-laws: *Provided*, that the same shall contain nothing inconsistent with the laws or constitution of this State or of the United States.

§ 8. This act shall be deemed a public act, and shall be in force from and after its passage.

APPROVED February 22, 1867.

AN ACT to incorporate the Cherry Point City Woolen Manufacturing Company, in Cherry Point City, Edgar county, Illinois. In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John P. Dole, George O. Dinsmore, Michael Kizer, Theodore Schence, George Harding and James Gaines, their associates, successors and assigns, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Cherry Point City Woolen Manufacturing Company;" and, by that name, they and their successors shall be capable, in law, of contracting and being contracted with, suing and being sued, defending and being defended, in all courts and places, and in all matters and places whatsoever, with full powers to acquire, hold, occupy and enjoy all such real and personal estate as may be necessary and proper for the construction, extension and usefulness of the works of the said company, and for the management and good government of the same; and they may have a common seal, and the same may alter, break and renew at pleasure; and they may do and perform all such acts and things as are or may become necessary for the furtherance and advancement of the purposes of said corporation, as fully and completely as a natural person might or could do: *Provided*, that the amount of real estate held by said corporation shall not at any time exceed in value the sum of one hundred thousand dollars. The general office of said company shall be at Cherry Point City, Edgar county, and state of Illinois.

§ 2. The corporators named in the first section of this act shall constitute the first board of directors, and shall hold their offices until their successors shall be duly elected and qualified, in pursuance of by-laws to be made by the said corporation, after its organization. And the object and purpose of said incorporation shall be the manufacture and sale of woolen goods and textile fabrics.

§ 3. The capital stock of said company shall be fifty thousand dollars, and may be increased, from time to time, at the pleasure of said corporation. It may be divided into such shares, subscribed for, paid and transferred, in such proportions and manner as shall be prescribed by the by-laws and regulations of said company.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The board of directors shall consist of not less than five and not more than seven stockholders, who shall be chosen by the stockholders, at such time and in such manner as the said corporation shall, by its by-laws, prescribe, and shall hold their offices until their successors are elected and qualified,

and may fill any vacancies which may happen in the board of directors, by death, resignation or otherwise. They may adopt such by-laws, rules and regulations, for the government of said corporation and the management of its affairs and business, as they may think proper, not inconsistent with the laws of this state or of the United States.

§ 5. The said corporation is hereby authorized to borrow money, and to mortgage or lease any of its property or franchises.

§ 6. This act shall be deemed a public act, and noticed by all courts without pleading, and it shall take effect from and after its passage.

APPROVED February 23, 1867.

In force Feb'y 23, 1867. AN ACT to incorporate the Mechanics' Foundry and Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That D. W. Dame, W. V. Baker, Franklin Smith and H. G. Page, and all such persons as shall become subscribers to the hereinafter named stock, shall be and they and their associates are hereby declared a body politic and corporate, by the name and style of "The Mechanic's Foundry and Manufacturing Company;" and, by that name and style they and their successors, forever hereafter, have perpetual succession and shall be capable of suing and being sued, pleading and being impleaded, in all courts and places whatsoever; may have a corporate seal, alter and change the same at pleasure; shall have the power of contracting and being contracted with; of purchasing, holding and conveying real and personal estate, for the purposes and uses of said corporation, as hereinafter limited; and shall be located either in Carroll, Stephenson or Winnebago county, Illinois.

Authority and powers. § 2. The president and directors of said company, hereinafter provided for, shall have power and are hereby authorized to carry on the manufacture of iron castings, of every size and description, as said company may deem proper, and carry on the foundry business, in all of its various branches, with power to manufacture railroad cars, plows, wagons, all other agricultural implements, and linseed oil; to erect mills, machinery, works and other buildings necessary to carry on said business, and to enter into all contracts which may concern the use and management of the property, affairs and interests of said company.

§ 3. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each; and the capital stock of said company may, hereafter, be increased to five hundred thousand dollars, to be invested in and expended in the business of this company. Capital stock.

§ 4. For the purpose of facilitating the said business of this company or corporation, they shall be authorized to negotiate a loan or loans of money, to two-thirds the amount of its capital stock, and pledge its property, real and personal, and all its rights, credits and franchises, for the payment thereof. Indebtedness.

§ 5. Either one of the [persons] named in section one of this act are hereby authorized to obtain subscriptions to the capital stock of said company, at such times and places as they may deem proper. The affairs of said corporation shall be under the direction of five of the members of this corporation, a majority of whom shall have full power to conduct all the necessary business required to further the objects of this corporation. The organization of this company shall take place at any time when ten days' notice shall have been given, in a newspaper published in Carroll or Stephenson county, Illinois, stating the time and place at which said meeting will be held and its objects. Subscription to stock.

§ 6. At said meeting the stockholders shall proceed to elect five directors, (stockholders of said company,) who shall manage, direct and govern the affairs of said company from the period of said election and until their successors are elected, who shall be vested with the same authority. Organization.

§ 7. At said election each stockholder shall be entitled to give one vote for each share he then may hold in his own right. A majority of all votes given shall be required to make an election. Each stockholder may vote in person or by proxy. Said directors, when elected, shall have power to elect one of their number president of said company, and shall also appoint a secretary and treasurer of said company, who shall be the officers of said company for the period of one year and until their successors are elected and qualified. Said president and directors shall appoint such other officers and agents as to them shall seem necessary to carry out the objects of this corporation. Officers.

§ 8. The stockholders, at the first election, shall have the right to vote upon stock upon which they have paid ten per cent., but they shall not at any future election vote upon any but full paid stock; nor shall the officers of said company ever issue any fraudulent or fictitious stock; and if they do so, they shall forfeit all rights in this corporation, be indicted and fined in the sum of ten thousand dollars, and imprisonment in the county jail not exceeding twelve months. Elections.

Vote of stockholders.

Clerks' duties.

§ 9. The directors of said corporation shall cause their secretary or clerk to keep a regular record of their actions and proceedings, as a corporate body; and regular accounts shall be kept of all moneys received and expended; and at the end of every year the profits arising from the business of said company shall be divided among the stockholders, in proportion to the amount of paid stock: *Provided*, that half-yearly dividends may be made, when the directors shall so determine.

By-laws, etc.

§ 10. The directors of said corporation 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 collection of subscriptions to its stock, the transfer of the same, or conveyance of property, the payment or collection of dues to or from said company, or that in any way concerns the interests management or direction of the affairs of said company.

§ 11. This act shall be in force from and after its passage, and shall be construed a public act in all courts and places, and shall be liberally construed.

APPROVED February 23, 1867.

In force Feb'y
23, 1867.

AN ACT to incorporate the Valley Manufacturing Company.

Corporators.

Name and style

Powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Thomas Finnie, De Witt C. Brown, James W. Eddy, Leonard G. Calkins and Daniel Valentine, and their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Valley Manufacturing 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, defend and be defended, in any court of law or equity in this state, 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 and are hereby invested 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 is hereby authorized and empowered to construct a dam across Fox river, to the height of nine feet above low water mark, at or near the point where said river crosses the section line between sections eight (8) and nine (9), township thirty-six (36), range six (6) east, in the county of Kendall, in the state of Illinois, and to locate, survey, construct and complete a canal or race from Post's mills, on said

river, along the west bank of said river, to the county line of La Salle county, in said state.

§ 2. In case said corporation shall desire to obtain from the proprietors or owners thereof any lands for the construction of such canal or race, or improvement of any water power created thereby, or any lands that may be flowed or otherwise injured by the construction of this dam, and shall be unable to obtain the same by voluntary purchase, grant, assignment or release, said company shall have the right to condemn, take and use the same, under the provisions of an act to amend the law condemning the right of way for purposes of internal improvements, approved June 22, 1852.

Rights to condemn lands.

§ 3. Said company may acquire, hold, own and enjoy such real estate, in the vicinity of the water power created by the construction of said dam and the digging of such canal or race as may be deemed suitable for the operations of said company and improvements connected therewith, or any part thereof, with the rights and privileges accruing therefrom or in anywise appertaining thereto; may erect such buildings and machinery as they may deem expedient, may engage in the manufacture of cotton, woolen, hempen, flaxen or other goods, machinery or other manufacture; and may lease or sell power, lands and machinery to individuals or corporations, as may be deemed expedient. Said company may also take and hold such notes, mortgages and other choses in action or securities, as in the transactions and business of said company may become necessary or convenient; and may collect, sell or assign the same. And the board of directors shall have power to declare dividends out of the actual profits of said corporation or from the sale of real estate above mentioned, payable either in cash or stock, as may be deemed expedient.

Privileges, etc.

Securities

§ 4. The incorporators named in the first section of this act shall constitute the first board of directors, and shall hold their offices until their successors shall be duly elected and qualified in pursuance of by-laws to be made by the said corporation after its organization.

Directors.

§ 5. The capital stock of said company shall be five hundred thousand dollars, (\$500,000) and may be increased, from time to time, at the pleasure of said company. It shall be divided into shares of one hundred dollars (\$100) each, and may be issued and transferred in such manner and upon such conditions as the board of directors may direct.

Capital stock.

§ 6. The said corporation is hereby authorized to borrow money and to mortgage or lease any of its property or franchises, and may adopt such by-laws, rules and regulations for the government of said corporation and the management of its affairs and business as they may think proper, not inconsistent with the laws of this state or of the United States.

Indebtedness.

Construction of § 7. This act shall be deemed a public act, and noticed
act. as such by all courts, without pleading, and it shall take
effect from and after its passage.
APPROVED February 23, 1867.

In force Feb'y AN ACT to incorporate the Illinois Soap-stone Stove Company.
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Joseph Atkinson, Hale Knight, Charles H. Atkinson, and their associates and successors, are hereby constituted a body politic and corporate by the name and style of "The Illinois Soap-stone Stove Company;" and, by that name they and their successors shall, in law, be capable of suing and being sued, of pleading and being impleaded, in all courts and places whatsoever. The principal office and place of business shall be in the city of Chicago, in the county of Cook, and state of Illinois.

§ 2. Said company may own and possess real estate, for the convenience of their business; may carry on, at Chicago or elsewhere, the manufacture and sale of soap-stone stoves and any other article made of soap-stone or pertaining to their business, as they may require.

§ 3. The management and direction of the affairs of said company shall be vested in a board of directors, to be elected by the stockholders. And said company are hereby authorized to establish any by-laws or regulations, and to alter and amend the same, as shall be necessary to carry out the provisions of this act: *Provided*, the said by-laws and regulations do not conflict with or be repugnant to the laws of this state or of the United States.

§ 4. The capital stock of this company may be fifty thousand dollars, with privilege of increasing [the same] to two hundred thousand dollars, and shall be divided into shares of fifty dollars each.

§ 5. This act shall take effect from and after its passage.
APPROVED February 23, 1867.

In force Febru- AN ACT to amend an act entitled "An act incorporating the Mechanical
ary 22, 1867. Bakery Company, of Chicago."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section two, (2), of an act entitled "An act incorporating the Me-
To manufacture flour.

chanical Bakery Company, of Chicago," be and the same is hereby amended so that the said company shall have power to manufacture flour.

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

APPROVED February 22, 1867.

AN ACT to incorporate the Wilmington Manufacturing Company.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Milton H. Hilburn, Daniel W. Dillman, Amos N. Klinetfelter, Archibald J. McIntyre, John H. Daniels, Morris F. Blish, William R. Pennington, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The Wilmington Manufacturing Company;" and shall have succession, a common seal, power to plead and be impleaded, to appoint all necessary officers, servants and assistants, and may have and enjoy and exercise all the powers necessary to carry out and execute the purposes and intents of a manufacturing company, for manufacturing implements and machines for agricultural and mechanical purposes.

Corporate name
and powers

§ 2. The capital stock of said company shall be two hundred thousand dollars, with power to increase the same to four hundred thousand dollars, to be subscribed and paid in, from time to time, in the manner prescribed by the by-laws to be formed by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of said company, in such manner as its by-laws may prescribe.

Capital stock.

§ 3. A majority of the corporators herein named may proceed to open books for subscription to the stock of said company, and shall at the same time or thereafter, designate a time and place for the first election of directors of said company, by the parties subscribing to the stock thereof; and each share of stock so subscribed shall be entitled to one vote.

Stock subscrip-
tion.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The board of directors shall consist of not less than three nor more than five stockholders, who shall be chosen by the stockholders at such time and in such manner as said corporation, by its by-laws, prescribe, and shall hold their offices until

Officers, etc.

their successors are elected and qualified, and may fill any vacancy which may happen in the board of directors, by death, resignation or otherwise. They may adopt by-laws, rules and regulations for the government of said corporation and the management of its affairs and business, as they may think proper, not inconsistent with the laws or constitution of this state or the United States.

Indebtedness. § 5. Said corporation is hereby authorized to borrow money and mortgage and lease any of its property or franchises, to sue and be sued, to contract and be contracted with.

§ 6. This act shall be deemed a public act, and shall be in force from and after its passage.

APPROVED February 23, 1867.

In force Feb'y 21, 1867. AN ACT to incorporate the Mansfield Elastic Frog Company, of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Amos T. Hall, John Crevar, J. Hall Dow, Frederick L. Fake and J. McGregor Adams, and their associates, successors and assigns, shall be a body politic and corporate, by the name of "The Mansfield Elastic Frog Company, of Chicago;" and, by that name, they and their successors shall have perpetual succession, sue and be sued, plead and be impleaded, and be capable of contracting and being contracted with; shall have a common seal and the same alter at pleasure: and may have and enjoy and exercise all the powers necessary to carry out and execute the purposes and intents of an iron and brass foundery and manufacturing company, and to manufacture, bargain for and sell railroad frogs of all kinds and patterns, and all rights connected with the same.

Election of directors. § 2. A majority of the corporators herein named may proceed to open books for subscription to the capital stock of said company, and shall, at the same time or thereafter, designate a time and place for the first election of directors of said company, by parties subscribing to the stock thereof; and each share of stock so subscribed for shall be entitled to one vote.

Capital stock. § 3. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same to five hundred thousand dollars, to be subscribed and paid for in the manner which may be prescribed by the by-laws to be adopted by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed

personal property, and shall be transferable on the books of the said company, as the by-laws may prescribe.

§ 4. The said corporation shall have power to borrow Indebtedness. money, and may secure the payment of the same by deed of trust, mortgage or other security.

§ 5. It may be lawful for the company hereby incorporated to purchase and hold such real estate as may be deemed Real estate. necessary by its managing officers for the successful prosecution of its business, and may have power to convey the same.

§ 6. The affairs of the company shall be managed by a Government. board of directors, at least five in number. Such directors shall be stockholders and be elected by the stockholders after the first election, at such time and in such manner as the by-laws of said company shall provide, and hold their offices for the term for which they were elected and until their successors are elected.

§ 7. The directors of said company shall have and exercise all the powers hereby conferred on said corporation, and may elect such officers and agents and make such by-laws, rules and regulations, for carrying into effect the objects of this act, as to them shall seem expedient, not inconsistent with the laws of this state, and shall have power to fill any vacancies that may happen among the directors, by death, resignation or otherwise. Officers, etc.
By-laws and regulations.

§ 8. This act shall be deemed a public act, and take effect from its passage.

APPROVED February 21, 1867.

[AN ACT to incorporate the Home Flax Manufacturing Company.

In force Feb'y
21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John A. Hanson, Roswell B. Mason, George W. Billings, John J. Clark and Mancel Talcott, and their successors, be and are hereby created a body corporate and politic, under the name and style of "The Home Flax Manufacturing Company;" and by that name and style, they and their successors shall be capable in law of contracting and being contracted with, suing and being sued, defending and being defended, in all courts and places, and in all matters whatsoever, with full power to acquire, hold, occupy and convey all such real and personal estate as may be necessary for the construction and operation of the works of said company, and for the management and good government of the same; and that they may have a common seal, and the same may alter, break and renew at pleasure; and*

Corporate name and powers.

they may do and perform all such acts and things as are or may become necessary for the furtherance and advancement of the purposes of said corporation, as fully and completely as a natural person might or could do.

Objects and
purposes.

§ 2. The said corporation, for the purpose of carrying on its operations of producing, preparing, combing and working into yarn, thread and cloth, all kinds of flax and hemp fibre, and for promoting the manufacture of fine linen yarns, thread and cloth, and finishing the same for market, is hereby authorized and empowered to purchase land and buildings, machinery, patents and processes, erect suitable mills, dwellings and storehouses; to take, hold, mortgage and convey real estate; to make contracts, generally; and to do any and all acts necessary for the successful carrying on of a general manufacturing business.

Capital stock.

§ 3. The capital stock of said corporation shall be five hundred thousand dollars, and may be increased, from time to time, at the pleasure of said corporation. It shall be divided in shares of one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors may direct.

Officers and
directors.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The board of directors shall consist of not less than three nor more than seven stockholders, who shall be chosen annually by the stockholders of the corporation, at such time and in such manner as the said corporation shall, by its by-laws prescribe, and shall hold their offices until their successors are elected and qualified; and shall have power to fill any vacancies which may happen in the board of directors, by death, resignation or otherwise; they may adopt such rules and regulations, for the government of said corporation and the management of its affairs and business, as they may think proper, not inconsistent with the laws of this state or of the United States.

§ 5. This act shall be deemed a public act, and noticed as such by all courts, without pleading, and it shall take effect from and after its passage.

APPROVED February 21, 1867.

In force Feb'y AN ACT to incorporate the Northwestern Silver-Ware Manufacturing Company.
22, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That P. H. Willard, H. D. Titsworth, T. P. Hart, H. W. Hinsdale, L.*

I. Gage, I. C. Adams and O. R. W. Lull, be and they are hereby incorporated into a body corporate, by the name and style of "The Northwestern Silver Ware Manufacturing Company;" by which name they and their associates and successors shall have continuance and succession for the term of fifty years, from and after the passage of this act; and, by said corporate name, shall be capable in law and equity to sue and be sued, plead and be impleaded, and to do all other matters and things necessary and expedient to protect and defend their corporate rights; and shall have a common seal, which they may change at pleasure; and may purchase and hold, and may convey, either absolutely or by way of mortgage, any real estate, which may be considered necessary for the purpose of carrying on the business of said corporation. The said corporators herein above named shall constitute the board of directors for the first year and until their successors are elected.

Name and style.

Powers.

§ 2. The said company shall have the right to manufacture and deal in gold and silver ware and watch cases, plate and plated goods and jewelry, and all other articles of similar nature; and shall possess and enjoy all powers convenient or necessary to carry into effect this object, or incidental thereto; and, for the purpose aforesaid, all necessary agents and servants to employ.

Rights and privileges.

§ 3. The said capital stock shall be obtained by subscription, and divided into shares of one hundred dollars, in such manner as the board of directors shall prescribe; and the several shares thereof shall be deemed personal property, and may be issued and transferred in such manner and subject to such provisions and restrictions as the board of directors may prescribe. The amount of said capital stock shall not be less than two hundred thousand dollars, and may be increased, from time to time, to five hundred thousand dollars, by vote of the board of directors.

Capital stock.

§ 4. All the corporate powers of said company shall be vested in a board of directors and such officers and agents as said board shall appoint. The said board of directors shall consist of not less than seven nor more than nine stockholders, who shall be chosen, annually, by the other stockholders, each share having one vote, which may be given in person or by proxy—such directors to continue in office one year and until their successors are elected and qualified. Vacancies occurring in the board of directors, in any manner, either by death, removal or inability, or refusal to meet or act, may be filled by the remaining directors; such appointees to continue in office until the next regular election.

Officers and directors.

Vacancies.

§ 5. The said board of directors may make such by-laws as may be expedient and proper for the management and control of the business of said company.

By-laws.

Agents.

§ 6. The board of directors may appoint, either from their own number or otherwise, such agents and servants and officers as may be proper, and may discharge any of them, at any time, and may require surety for the performance of their duties, and may fix their compensation.

Meetings.

§ 7. The president and secretary may call a meeting of the board of directors, by reasonable notice, in writing.

Further powers

§ 8. The said company, by its duly appointed agents, may become a party to any commercial paper, in the same manner and to the same extent that a private individual might do, so far as the same shall be necessary or expedient in the regular course of business of said company.

Expulsion of members.

§ 9. The board of directors shall have the power to expel any member of said body, by a vote of two-thirds of the authorized number, at any regular meeting, for any reasonable cause.

This act shall be taken and considered a public act, and shall become a law immediately on its passage.

APPROVED February 22, 1867.

In force Feb'y 22, 1867.

AN ACT to incorporate the American Steam Generator Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Fredrick Baumann, Henry W. Blodgett, Gustavus E. Buschick Ira Holmes, Lewis C. Ellsworth and Phillip B. Shumway, and their associates and successors, be and they are hereby created and declared a body politic and corporate, under the corporate name of "The American Steam Generator Company;" and, by that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire, receive, possess, enjoy, alien, convey and otherwise dispose of all such property and effects, real and personal, and do and perform all such other acts and things as shall or may be necessary or convenient for the transaction of the business of said company as hereinafter indicated, and have perpetual succession.

Name.

Business.

§ 2. The business in which said company shall be authorized to be engaged shall be the manufacture and sale of Baumann's American Steam Generator, and of steam engines and boilers, and other apparatus for generating steam. The principal place of business of said company shall be in Cook county; and their general office shall be in the city of Chicago.

§ 3. The capital stock of said company shall not be more than three million dollars, and shall be divided into shares of one hundred dollars each. Capital stock.

§ 4. The incorporators named herein shall be and remain the first board of directors, with power to choose a president, secretary and treasurer of said company, until their successors shall be elected, according to the method hereinafter prescribed. The stockholders of said company, at their first meeting, or at any subsequent meeting, may enact such by-laws, regulating the time and manner of electing directors and officers, and for the regulation of the affairs of said company, as they shall deem expedient, not inconsistent with the constitution of this state or of the United States. Officers.

§ 5. The board of directors are hereby authorized to pay any sum, not exceeding two million of dollars, in the stock of said company, at its par value, for any and all such patent rights as said directors shall deem it necessary or expedient for said company to own for the purpose of successfully carrying on the business of said company; which stock, so paid, shall not be liable to any assessment by said company, nor shall the holders thereof be held individually liable for any indebtedness of said company. The stock of said company, not issued in payment for patent rights, as above stated, shall be subject to assessment and forfeiture, upon the terms and conditions set forth in the by-laws of said company at the time when the subscription for the same shall have been received by said company. Directors—
duties relative
to patents.

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

APPROVED February 23, 1867.

AN ACT to incorporate Pullman's Palace Car Company.

In force Feb'y
22, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George M. Pullman, John Crear and Norman Williams, jr., and their associates, successors and assigns, be and are hereby created a body politic and corporate, under the name and style of "Pullman's Palace Car Company," with all powers, rights, privileges and immunities incident to corporations and necessary or useful for the purposes of this act: *Provided*, that if the corporation created by this act shall not organize within one year after the passage hereof, then this act shall be null and void. Corporators.

Name and style.

Capital stock. § 2. The capital stock of said company shall be one hundred thousand dollars, and be divided into shares of one hundred dollars each, and it may be increased from time to time, as a majority of the stockholders may direct, and shall be issued and transferred in such manner and under such conditions as the directors of the said company shall, by the by-laws thereof prescribe.

Government. § 3. The corporate powers of the said company shall be vested in and exercised by a board of directors, consisting of such number of persons, not less than three nor more than seven, as the stockholders of the said company may, from time to time, direct. The said directors shall be chosen by the stockholders, at such time and place as may be fixed by the by-laws of the said company, and shall hold their offices for one year and until their successors are elected and qualified. They shall elect one of their number president of said company, and may fill any vacancy in the said board occasioned by death, resignation or otherwise, for the unexpired portion of the term of office so becoming vacant; and may make such rules, by-laws and regulations, and appoint such officers and servants as they may, from time to time, deem expedient. Until an election of directors as herein provided, the persons named as incorporators, in the first section of this act, shall constitute a board of directors, and shall have and may exercise all the powers of such board.

Powers, etc., § 4. The said corporation shall have power to manufacture, construct and purchase railway cars, with all convenient appendages, and supplies for persons traveling therein, and the same may sell or use, or permit to be used, in such manner and upon such terms as the said company may think fit and proper.

Indebtedness. § 5. The said corporation shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgage or other security.

May hold real estate, etc. § 6. It may be lawful for the company hereby incorporated to purchase, acquire and hold such real estate as may be deemed necessary for the successful prosecution of their business, and may have power to sell and convey the same.

§ 7. This act shall be deemed a public act, and shall take effect from and after its passage.

APPROVED February 22, 1867.

AN ACT to incorporate the La Salle Glass Company.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Att, Samuel Jenkins and John Miller, and their associates, heirs and assigns, be and they are hereby created a body politic and corporate, by the name of the "LaSalle Glass Company;" and, by that name, may purchase, hold, possess, enjoy, control, mortgage and sell property, both real and personal; by that name may sue and be sued, plead and be impleaded, in all courts and places. The said company may have a common seal, which they may adopt, change, alter and renew at pleasure.

Corporators.

Name and style

§ 2. The corporate powers and franchises hereby conferred may be enjoyed by said company for the period of fifty years, and no longer.

Period of franchises.

§ 3. Said company are hereby authorized to purchase and hold such real estate as they may need, in their judgment, for carrying on the business herein provided for; to erect such buildings, machinery, kilns, ovens and flattering rooms as they shall deem necessary to carry into effect the privileges conferred by this act; and to manufacture glass, and glassware of various kinds, at the city of LaSalle, in LaSalle county, selling the same at such times and places as they may elect.

Corporate powers.

§ 4. The capital stock of said company shall be fifty thousand dollars, which may be increased at the pleasure of the company, to any sum not exceeding one hundred thousand dollars. The capital stock shall be divided into shares of one hundred dollars each, each stockholder being entitled to cast, in person or by proxy, one vote for each share of stock held by him, at all meetings of the stockholders and at all elections of the company.

Capital stock.

§ 5. The affairs of said company shall be conducted by a board of directors, consisting of not less than three nor more than seven, to be designated, from time to time, by the stockholders; such directors to be chosen by the stockholders, and shall hold their office for one year and until their successors shall be chosen. For the purpose of facilitating the organization of said company, the above named corporators are hereby appointed directors for the first year and until their successors shall be elected.

Officers.

§ 6. It shall be the duty of said directors to choose one of their number president; to make such rules and regulations against the transfer of stock and concerning the transfer of stock in said company as they shall deem expedient; to establish such rules and regulations, for the government of the affairs of said company, as to them shall seem necessary; to provide for the forfeiture of stock in said company upon failure of the stockholders to pay any

Government.

assessment that may be made thereon, or upon their attempt to transfer the same contrary to the rules and regulations of the directors; and they may attach such pains, penalties, and forfeitures to the violation of any of the rules or regulations of said company, by the stockholders thereof, as they shall deem advisable. They may, also, prescribe the duties of the president and of the several stockholders of said company, and may appoint such officers and agents for said company, defining their duties, as may be needed, from time to time.

Indebtedness.

§ 7. Said company may borrow such sums of money, from time to time, as they may need, to carry on their said business, not exceeding the amount of their capital stock, and to secure the payment of the same, may mortgage their property, both real and personal, and franchise, or may issue their bonds, in such sums as they may elect, bearing a rate of interest not exceeding ten per cent., which bonds shall be and are hereby declared to be a lien upon all the property, both real and personal, and upon all the franchises of said company, and may be sold for such sums as they will bring. The interest thereon may be made payable annually, or semi-annually at the election of the company.

Rights and privileges.

§ 8. The said company are hereby expressly authorized and empowered to have and enjoy all the rights and privileges not herein expressly enumerated which they might or could enjoy if organized under the general laws of this state, and all the rights and privileges that are enjoyed or may be enjoyed by any company chartered for similar purposes, either by this or any previous general assembly of this state: *Provided*, that nothing herein contained shall be so construed as to interfere with the vested rights of any other company.

§ 9. This act shall be a public act and shall be liberally construed, in all courts and places, and shall take effect and be in force from and after its passage.

APPROVED February 23, 1867.

In force February 25, 1867.

AN ACT to incorporate the Chicago Glass Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Mancel Talcott, Hugh McLennan, David W. Sutherland, Lewis C. Ellsworth and George Wheeler, and their associates, successors and assigns, and all such persons as shall become stockholders in said company hereby created, shall be a body politic and corporate, by the name and style of "The Chicago Glass Company;" and shall have perpetual succession, a

Name and style

common seal, power to sue and be sued, to plead and be impleaded, to appoint all necessary officers, servants and assistants, and to have and enjoy and exercise all the powers necessary to carry on the manufacture, purchase and sale of glass and glassware. The general office of said company shall be in the city of Chicago, county of Cook, and state of Illinois.

§ 2. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same to five hundred thousand dollars, to be subscribed and paid for in the manner which may be prescribed by the by-laws to be adopted by said company. Said capital stock shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of the said company, in such manner as the by-laws may prescribe. Capital stock.

§ 3. A majority of the corporators herein named may proceed to open books for subscription to the capital stock of said company, and shall, at the same time or thereafter, designate a time and place for the first election of directors of said company, by parties subscribing to the stock thereof; and each share of stock so subscribed and paid for shall be entitled to one vote. Subscription.

§ 4. The said corporation shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgage or other security. Indebtedness.

§ 5. It may be lawful for the company hereby incorporated to purchase and hold such real and personal estate as may be deemed necessary by them for the successful prosecution of their business, and to sell and convey the same, on such terms as they may deem expedient. Real estate, etc.

§ 6. The affairs of said company shall be managed by a board of directors, not to exceed five in number, all of whom shall be stockholders in said company. They shall hold their office for one year and until such time or times as their successors shall be elected and qualified. The board of directors shall be elected annually, at such time and place and under such regulations as shall be established by the by-laws of said company; but any failure to elect directors shall in nowise impair or affect the rights or powers of directors holding over, or the rights or interests of the stockholders or other parties interested. Officers.

§ 7. The board of directors shall have power to frame a body of laws for the election or appointment of all the officers and agents of said company, and to alter the same in any manner provided in said by-laws: *Provided*, that the said by-laws shall contain nothing inconsistent herewith or with the laws of the United States or of this state. By-laws

§ 8. The said company hereby created shall exist for the term of ninety nine years. The stock, property and effects thereof shall be liable and subject to execution and Term of charter

Liabilities.

sale for all debts due and owing by said company; but in no case shall any stockholder be personally liable beyond the amount of his subscription to the capital stock.

Subscription to stock — commission to receive.

§ 9. For the purpose of carrying into effect the object of this corporation, Mancel Talcott, Hugh McLennan, David W. Sutherland, Lewis C. Ellsworth and George Wheeler, are hereby appointed commissioners to obtain subscriptions to the capital stock of said company, and shall constitute the first board of directors under this act, and shall continue to act as such directors until their successors are elected.

§ 10. This act shall be deemed and noticed as a public act, without being specially pleaded, and shall take effect from and after its passage.

APPROVED, February 25, 1867.

In force Feb'y 23, 1867. AN ACT to incorporate the Garden City Planing Mill and Lumber Manufacturing Company.

Name and style

Corporate rights

Business.

Capital stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Wisdom, Samuel K. Dow, Robert Wisdom, John J. Brown, Charles Rietz, Benjamin E. Tucker and Webster Batcheller, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of "The Garden City Planing Mill and Lumber Manufacturing Company;" and, by that name, they and their successors shall have perpetual succession, and be capable in law of contracting and being contracted with, suing and being sued, of having and using a common seal, of contracting, purchasing, holding, using and selling such machinery, stock, materials, and other personal property, and of leasing, purchasing, holding and conveying such real estate, in the city of Chicago or elsewhere, as shall be found necessary or desirable for the business and objects of this corporation, whose general office shall be located in the city of Chicago.

§ 2. The said corporation is authorized to dress, manufacture, purchase and sell lumber, building materials, and all other articles and materials, and the manufactured products thereof, connected with or incident to such manufacturing business.

§ 3. The capital stock of said company shall consist of such sum, not exceeding two hundred thousand dollars, and be divided into shares of such amount as the stockholders may from time to time determine. Such shares shall be

personal property, and transferable in such manner as the by-laws of said company shall prescribe.

§ 4. The corporation hereby created shall be under the Government. direction of such number of directors as the stockholders may from time to time determine, and, until otherwise ordered, the number of directors shall be seven. Such directors shall be stockholders, and shall be elected by the stockholders at such time and in such manner as the by-laws of said company shall provide, and hold their office for the term for which they were elected and until their successors are elected.

§ 5. William Wisdom, Samuel K. Dow, Robert Wisdom, Directors. Charles Rietz, Benjamin E. Tucker and Webster Batcheller and John J. Brown, shall constitute the first board of directors, under this act, and shall hold their office until their successors are elected in manner herein provided.

§ 6. The directors of said company, a majority of which Officers, agents, etc. shall constitute a quorum, shall have and exercise, unless otherwise ordered by the stockholders, all the powers hereby conferred on said corporation, and may elect such officers and agents and make such by-laws, rules and regulations, not inconsistent with the laws of this state, for carrying into effect the objects of this act, as to them shall seem expedient. They shall also have power to fill any vacancy Vacancy. that may happen among the directors, by death, resignation or otherwise.

§ 7. Copies of the minutes, proceedings, rules and by-laws of the company, certified by the president or secretary, under the seal of the corporation, shall be received in evidence. This act shall be deemed and noticed as a public act, without being specially pleaded, and shall take effect from its passage. Evidence of by-laws.

APPROVED, February 23, 1867.

AN ACT to incorporate the Joliet Manufacturing Company.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Andrew Dillman, Lewis E. Dillman, Andrew H. Shreffler, George Woodruff, William S. Brooks, Samuel K. Casey, William F. Barrett, Robert Walsh, Anthony Scheidt, Otis Hardy, Firman Mack, George N. Chittenden and John C. Dillman, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The Joliet Manufacturing Company;" and shall have succession, a common seal, power to plead and

Name and style

- be impleaded, to appoint all necessary officers, servants and assistants, and may have and enjoy and exercise all the powers necessary to carry out and execute the purposes and intents of a manufacturing company for manufacturing implements and machines for agricultural and mechanical purposes. The principal office of said company shall be located at the city of Joliet, in the county of Will, state of Illinois.
- Purposes.**
- Place of office.**
- Stock subscrip-
tion.** § 2. A majority of the corporators herein named may proceed to open books for subscription to the stock of said company, and shall, at the same time or thereafter, designate a time and place for the first election of directors of said company, by parties subscribing to the stock thereof; and each share of stock so subscribed for shall be entitled to one vote.
- Capital stock.** § 3. The capital stock of said company shall be two hundred and fifty thousand dollars, with power to increase the same to five hundred thousand dollars, to be subscribed and paid in, from time to time, in the manner prescribed by the by-laws to be formed by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of said company in such manner as its by-laws may prescribe.
- Officers, agents
etc.** § 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The board of directors shall consist of not less than three nor more than seven stockholders, who shall be chosen by the stockholders, at such time and in such manner as said corporation, by its by-laws, shall prescribe, and shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen in the board of directors by death, resignation or otherwise. They may adopt by-laws, rules and regulations for the government of said corporation and the management of its affairs and business, as they may think proper, not inconsistent with the laws of the state.
- By-laws.**
- Indebtedness.** § 5. Said corporation is hereby authorized to borrow money and mortgage and lease any of its property or franchises, to sue and be sued, to contract and be contracted with.
- § 6. This shall be deemed a public act, and be in force from and after its passage.
- APPROVED February 25, 1867.

AN ACT to incorporate the Western White Lead Company of Chicago. In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Benjamin V. Page, William Sprague and Charles H. Antes, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of "The Western White Lead Company; and, by that name, shall have succession, a common seal, power to plead and be impleaded, to appoint all necessary officers, servants and assistants; and may have, enjoy and exercise all the powers necessary to carry out and execute the purposes and intents of a white lead and paint manufacturing company: *Provided*, that if the corporation created by this act shall not organize within one year after the passage hereof, then this act shall be null and void.

Corporate name and powers.

§ 2. A majority of the corporators herein named may proceed to open books for subscription to the capital stock of said company, and shall, at the same time or thereafter, designate a time and place for the first election of directors of said company by parties subscribing to the stock thereof; and each share of stock so subscribed for shall be entitled to one vote.

Stock subscription.

Election of directors.

§ 3. The capital stock of the said company shall be one hundred thousand dollars, with power to increase the same to five hundred thousand dollars; to be subscribed and paid for in the manner which may be prescribed by the by-laws to be adopted by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of said company, in such manner as its by-laws may prescribe.

Capital.

§ 4. The said corporation shall have power to borrow money, and may secure the payment of the same, by deed of trust, mortgage or other security.

Indebtedness.

§ 5. It shall be lawful for said corporation to purchase and hold such real estate as shall be deemed necessary for the successful prosecution of its business, and to sell and dispose of the same at discretion, and make, execute, acknowledge and deliver conveyance thereof.

Possession of real estate, etc

§ 6. The affairs of said corporation shall be managed by a board of directors, at least three in number. After the first election, as herein provided, the directors shall be elected by the stockholders, at such time and place and in such manner as shall be established by the by-laws of said company. The directors of said company shall be elected annually; but any failure or omission to elect directors shall in nowise impair or affect the rights and powers of directors holding over, or the rights or interests of the stockholders or others interested.

Management of affairs.

By-laws, etc.

§ 7. The directors shall have power to frame a body of by-laws for the election or appointment of all the officers and agents and the management of the business of said company, and to alter the same in the manner to be provided in said by-laws: *Provided*, that the same shall contain nothing inconsistent with the laws or constitution of this state or the United States.

§ 8. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED February 23, 1867.

In force Feb'y 25, 1867. AN ACT to incorporate the Rock Island Woolen Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William Eggleston, Frederick Weyerhauser and Frederick A. C. Deukman, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, be and are hereby constituted a body politic and corporate, by the name and style of "The Rock Island Woolen Manufacturing Company;" and, by that name, they and their successors shall have perpetual succession, with power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, in all courts of law and equity; 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, conveying and disposing of any such real and personal estate, choses in action and securities, negotiable or otherwise, as may be expedient and necessary to enable the said company to carry on their operations and business; and all deeds for the conveyance of the real estate of said company shall be signed by the president and by the secretary of said company, if there be one, and be under the seal of said company.

Name and style

Powers.

Business and operations.

§ 2. The said corporation shall have power to carry on the manufacture of woolen and cotton goods or any other thing; to erect all necessary buildings and machinery for the successful prosecution of their business; to purchase and use all materials for such manufacture, and to procure the same by barter or exchange; to vend such woolen and-cotton goods and other articles so manufactured; and, generally, to do and perform all other proper and needful acts incident to corporations established for such purposes.

Management of affairs.

§ 3. The affairs of said company shall be managed by a board of directors, not less than three and not more than five, who shall be stockholders therein, and who shall, after the first year, be annually elected by the stockholders, in pur-

suance of by-laws to be made by the said directors, to serve for one year and until their successors shall be elected. During the first year, and until the election of their successors, the corporators named in the first section of this act shall constitute such board of directors. When any vacancy shall happen among the directors by death, resignation, refusal, or inability to serve, or otherwise, it shall be filled for the remainder of the term by the board of directors: *Provided, nevertheless*, that whenever the stockholders of said company shall not exceed five in number, said stockholders shall be and constitute said board of directors, without other election or appointment.

Directors—
vacancies.

§ 4. The board of directors shall have the management of all the business of said corporation, the application of its funds, the disposition of its property, and shall make all contracts. They shall choose from their number a president, and shall appoint a treasurer, who shall give bonds for the faithful discharge of his duties in such sum as the directors may require, and they shall appoint such other officers and agents as may seem to them necessary, and fix the compensation of the same. They may adopt such by-laws, rules and regulations for the government of said corporation and the management of its affairs and business as they may think proper, not inconsistent with the laws of this state or of the United States; and shall within one year, adopt by-laws for the election of directors, as provided in section three (3) of this act. It shall be the duty of the directors to make annual dividends from the earnings of the company, and whenever required by a majority of the stockholders, shall exhibit a full and perfect statement of the debts and credits of the corporation, and of all such other matters as may be deemed essential, in relation to the affairs of the company.

Duties of.

Officers, etc.
By-laws.

Dividends.

§ 5. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, with power by the vote of the stockholders, at a meeting duly called, to increase the said capital stock to any amount not exceeding five hundred thousand dollars. It may be subscribed for and paid in such manner and proportions as shall be prescribed by the by-laws and regulations of said company. Certificates of stock shall be issued to the holders thereof whenever the same shall be paid for, and shall be deemed and pass as personal property, and shall be transferable on the books of the company in such manner as shall be prescribed by the by-laws; and each share of stock shall be entitled to one vote in all elections for officers: *Provided*, that said company may receive all the real and personal estate, machinery, rights and credits of the Rock Island Woolen Manufacturing Company, or corporation organized under an act to authorize the formation of corporations for manufacturing, mining, mechanical

Capital stock.

Vote of stock-
holders.

Rock Island
woolen manu-
facturing com-
pany.

Rates of stock.

Liabilities.

Indebtedness.

Records and account books

and chemical purposes, approved February 18, 1857, and carrying on its operations at the city of Rock Island, Illinois, in payment for stock at such rates as may be agreed upon by the two companies, and the said last above mentioned company is hereby authorized to convey and transfer its said property to the company hereby incorporated: *Provided*, that upon such conveyance and transfer the company hereby incorporated shall be used, [and] hereby is made liable for all the debts and liabilities of said other company at the time of such transfer.

§ 6. The said company is hereby authorized to borrow money to any amount not exceeding one-fifth of its paid up capital stock; and, for that purpose, may issue their bonds, bearing interest at a rate not exceeding ten per cent., and to receive the same, may execute one or more mortgages upon all or any part of the profits and franchises of said company.

§ 7. The company shall, at all times, keep proper records and books of account, in which shall be registered all the transactions of the corporation; and, the same shall, at all times, be open to the inspection of stockholders.

§ 8. This act shall be deemed a public act, and noticed as such by all courts, without pleading, and shall be in force from and after its passage.

APPROVED February 25, 1867.

In force Feb'y
25, 1867.

AN ACT to incorporate the Svenska Americanaren Company.

Corporate name
and rights, etc.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John A. Nelson, Peter J. Hassander, Peter L. Hawkinson, Niles E. Peterson, Olof Johnson, Andrew A. Shelund, Peter M. Almini, John Peterson and Frederick T. Engstrom, and their associates and successors and assigns, are hereby created a body corporate and politic, under and by the name, style and title of "The Svenska Americanaren Company," with perpetual succession; and, by that name, be and are hereby made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity in this state or elsewhere; to make, have and use a common seal, and the same to renew or 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. The capital stock of said company shall

Capital stock.

be five thousand dollars which may be increased, from time to time, at the pleasure of a majority of the stockholders of said company, to one hundred thousand dollars, and said stock shall be divided into shares of ten dollars each; which capital shall be used mainly in the printing, publishing and binding business, in the city of Chicago, county of Cook, and state of Illinois, and be invested in such engines, printing presses, machinery, types, paper, fixtures, and such other articles as may be necessary to carry on the printing publishing and binding business.

§ 2. Said company shall have power to manufacture, in the city of Chicago or elsewhere, paper, and such other articles as they may use in the business of printing, publishing and binding as aforesaid; and shall have power to purchase and hold so much real estate and water power as may be necessary to carry out the provisions of this section.

Manufacturing
powers and
privileges.

§ 3. Said company shall have power to purchase and hold all such real estate as may be sold under mortgage, trust deed, execution or other legal process, to secure and satisfy debts due to the said company.

Possession of
real estate, etc.

§ 4. The said company shall have power to purchase and hold so much real estate and lots, not exceeding two hundred feet (200 feet) front on any street in the city of Chicago, and to erect suitable buildings thereon, the same to be used mainly in the printing, publishing, binding and manufacturing business, as aforesaid; and all real estate purchased under the provisions of the second and third and this section of this act may be sold, alienated and conveyed at the pleasure of said Svenska Americanaren Company. All deeds of such real estate shall be made to said The Svenska Americanaren Company, and deeds and conveyances made by said company shall be signed by the president and secretary of said company, and be attested by the corporate seal thereof.

Purposes of real
estate to be
purchased.

§ 5. Said company shall have power to lease such real estate and buildings as may be necessary to carry on the business of said company; and said company may sub-let or lease to others such apartments or rooms in their own building or buildings, leased by them, as may not be needed in the printing, publishing and binding business, as aforesaid.

Buildings, lease
etc.

§ 6. Said company may elect and appoint such officers and servants as they may deem necessary, and fix their compensation and term of office; and the said company shall have power to make all needful rules, regulations and by-laws for the regulation and direction of the affairs of said company; and whenever five thousand dollars stock shall have been subscribed and fifty per cent. thereof shall have been paid in, it shall be lawful for the stockholders of said company to commence business under this act.

Officers.

§ 7. Whenever it shall be required of said company to certify to the publication of any advertisement published

Certificate of
publication of
advertisement.

by them, a certificate, signed by the president and secretary of said company, shall be deemed and taken as a certificate of the publishers of said advertisement.

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

APPROVED February 25, 1867.

In force Feb'y 19, 1867. AN ACT to authorize the city of Ottawa to subscribe to the stock of the Ottawa Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Reddick, Milton H. Swift, Jeremiah Wood, George Avery and Richard Thorn, be and they hereby are constituted a board of commissioners, for and on behalf of said city, to subscribe to the capital stock of "The Ottawa Manufacturing Company," the sum of one hundred thousand dollars; and, when fully paid, to receive and hold the stock of said company for the same and the proceeds thereof for and on behalf of said city.

§ 2. In order to raise the money to enable said commissioners to make such subscription, they are hereby authorized, for and on behalf of said city, to make, execute and dispose of bonds of the same to the amount of one hundred thousand dollars, in sums of not less than one thousand dollars, at a rate of interest not exceeding ten per centum per annum, payable in not less than ten years, irrevocably pledging the faith and resources of said city for the ultimate redemption of the same and the payment of the interest thereon. Such bonds shall not be disposed of by said commissioners for less than their par value.

§ 3. The city council of said city is hereby authorized and required, annually, after being notified by said commissioners of the issuance of such bonds, to levy and collect, as other taxes are levied and collected, and at the same time and in the same manner, not less than six mills on each dollar of the assessed value of the real and personal property in said city. The proceeds of such tax shall be paid over by the collector of said city to the treasurer thereof, and by him kept as a separate fund, subject to the order of said commissioners, for the payment of the interest on said bonds; and, in case of a surplus, the said commissioners shall invest the same in bonds of the United States or of the state of Illinois for the ultimate redemption of such bonds.

§ 4. The said commissioners may appoint a president and a secretary, who shall be treasurer. The latter shall give bonds to said city, conditioned for the faithful discharge

of his duties; and they may, also, appoint a proxy to vote on said stock at any meeting of the stockholders of said company, and instruct such proxy in what way to vote; but no vote shall be given on said stock for either of such commissioners, for directors of said company.

§ 5. Said commissioners may, at any time, dispose of such stock, at not less than its par value; and any holder of any such bonds may, at any time, exchange the same for an equal amount of said stock. In case of a sale of such stock or of any portion of the same, the said commissioners shall, if practicable, take up said bonds, and, if not, shall invest the proceeds in bonds of the United States or of the state of Illinois. Said commissioners shall keep a record of their proceedings, and annually report to the city council their doings herein. Said commissioners shall be allowed all reasonable expenses, but no compensation for their services. In case of a vacancy in said board, by death, resignation, refusal or neglect to act, or removal from the county of La Salle, the circuit court of said county shall fill such vacancy.

Commissioners
—duties of.

APPROVED February 19, 1867.

AN ACT to incorporate the Pioneer Manufacturing Company.

In force Feb'y
19, 1867

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That J. G. Osborn, L. F. Patten and P. S. Herman, their associates and successors, are hereby made and constituted a body corporate and politic, by the name and style of "The Pioneer Manufacturing Company;" and, by such name, as such corporation, shall have perpetual succession; may sue and be sued, may have a common seal, may make contracts, may make by-laws, and own so much real estate as shall be necessary for the purposes of said corporation, and may have and enjoy all the rights and privileges and be subject to all the liabilities of a body corporate.*

Corporate name
and rights, etc.

§ 2. The capital stock of said company shall be one hundred thousand dollars; but said company may enjoy all the rights and immunities hereby conferred when thirty thousand dollars shall have been subscribed and twenty per cent. of such subscription shall have been paid in. The capital stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and transferable, as such, on the books of the company, in such manner and subject to such regulations as shall be imposed by the company.

Capital stock.

Business, etc.

§ 3. The business and affairs of said company shall be conducted by a board of five directors, to be elected annually, by the stockholders, and they shall elect from their number a president, secretary and treasurer, who shall perform such duties and exercise such powers as the directors shall prescribe, and they may appoint other officers and agents.

Manufacturing
stoves, etc.

§ 4. Said company are hereby authorized to engage in the business of selling and manufacturing of stoves, castings of all kinds made of any kind of metal, locomotives, railroad stock and trimmings, hardware of all kinds, and such other articles as they shall determine, and may establish depots for the sale of their property, whether purchased or manufactured by them; but the principal place of business shall be in Chicago, Illinois.

§ 5. This act shall be a public act, and be in force from and after its passage.

APPROVED, February 19, 1867.

In force Feb'y AN ACT to incorporate the American Anti-Incrustation Company, of
19, 1867. Chicago.

Corporate name
and style.Duties and
powers.Stock subscrip-
tion.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Elias T. Watkins, Thomas L. Kimball, Henry W. Bishop, jr., John L. Thompson and John C. Gault, and their associates, successors and assigns, and all such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The American Anti-Incrustation Company, of Chicago;" and, by that name, they and their successors shall have perpetual succession, and be capable of contracting and being contracted with, suing and being sued, of having, using a common seal, and altering the same at pleasure; and may have and enjoy and exercise all the powers necessary to carry out and execute the purposes and intents of an iron and brass foundery and machine manufacturing company; and to manufacture, bargain for and sell machines and instruments for the purpose of removing scale and incrustation from steam boilers, and all rights connected with the same.

§ 2. A majority of the corporators herein named may proceed to open books for subscriptions to the capital stock of said company, and shall, at the same time or thereafter, designate a time and place for the first election of directors of said company by parties subscribing to the stock thereof; and each share of stock so subscribed for shall be entitled to one vote.

§ 3. The capital stock of said company shall be two hundred thousand dollars, with power to increase the same to five hundred thousand dollars, to be subscribed and paid for in the manner which may be prescribed by the by-laws to be adopted by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be deemed transferable on the books of the said company in such manner as its by-laws may prescribe.

Capital stock.

§ 4. The said corporation shall have power to borrow money, and may secure the payment of the same, by deed of trust, mortgage or other security.

May borrow money.

§ 5. It may be lawful for the company hereby incorporated to purchase and hold such real estate as may be deemed necessary by its managing officers for the successful prosecution of its business, and may have power to convey the same.

Possession of real estate.

§ 6. The affairs of the company shall be managed by a board of directors, at least five in number. Such directors shall be stockholders, and be elected by the stockholders, after the first election, at such time and in such manner as the by-laws of said company shall provide, and hold their offices for the term for which they are elected and until their successors are elected.

Directors.

§ 7. The directors of said company shall have and exercise all the powers hereby conferred in said corporation, and may elect such officers and agents and make such by-laws, rules and regulations for carrying into effect the objects of this act, as to them shall seem expedient, not inconsistent with the laws of this state, and shall have power to fill any vacancy that may happen among the directors, by death, resignation or otherwise.

Powers of directors.

Vacancies.

§ 8. This act shall be deemed a public act, and take effect from its passage.

APPROVED February 19, 1867.

AN ACT to incorporate the Chicago Horse Nail Company.

In force Feb'y 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Elbridge G. Hall, Seneca D. Kimbark, George M. Kimbark and Daniel A. Kimbark, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The Chicago Horse Nail Company;" and shall have succession, a common seal, power to plead and be impleaded, to appoint all necessary*

Corporators.

Name and style.

officers, servants and assistants, and may have and enjoy and exercise all the powers necessary to carry out and execute the purposes and intents of a horse nail and general hardware manufacturing company.

Officers' duties. § 2. A majority of the corporators herein named may proceed to open books for subscription to the stock of said company, and shall, at the same time or thereafter, designate a time and place for the first election of directors of said company, by parties subscribing to the stock thereof, and each share of stock so subscribed for shall be entitled to one vote.

Capital stock. § 3. The capital stock of said company shall not exceed one hundred thousand dollars, to be subscribed and paid for in the manner prescribed by the by-laws to be framed and made by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of the said company in such manner as its by-laws may prescribe.

Payments. § 4. The directors shall have power to call for the payment of the capital stock subscribed, at such time or times and in such rates and proportions as they may deem proper; and if any stockholder shall fail to pay the same, according to such call, within sixty days after being notified so to do, it shall be lawful for the directors to enforce the payment thereof by suit or to sell the stock of such non-paying stockholder at public auction, to the highest bidder; and the proceeds of such sale, after deducting the expenses thereof, shall be paid over to such non-paying stockholder, who shall thereby cease to be a stockholder in said company; and the purchaser or purchasers at such sale or sales shall become stockholder or stockholders in the said company, and shall have and enjoy all the privileges and profits accruing or accrued to the shares of stock by them purchased, and become liable for the payment of all calls then due or thereafter made on said shares of stock; but such sales and transfers shall not be binding upon said company unless the amount called and then due on such shares is paid into said company by the said purchaser or purchasers.

Indebtedness. § 5. The said corporation shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgage or other securities.

Possession of property, etc. § 6. It shall be lawful for said company hereby incorporated to purchase and hold such real estate as may be deemed necessary by them for the successful prosecution of its business, and to take and hold trust deeds and mortgages to secure any moneys due to said company, and to receive real estate in payment of any claim or claims against any person or persons or corporation, and shall have power to sell and convey the same in such manner as the by-laws may prescribe.

§ 7. The affairs of the company shall be managed by a board of directors of at least five in number. After the first election, as herein provided, the directors shall be elected by the stockholders, at such time and place and in such manner as shall be established by the by-laws of said company. The directors shall be elected annually; but any failure or omission to elect directors shall in nowise impair or affect the rights and powers of directors holding over, or the rights or interests of the stockholders or others interested in said company.

Management of affairs.

§ 8. After the election of directors, as aforesaid, the said company shall have power to commence its business in the full enjoyment of the privileges of this act, at such place and places, in the city of Chicago, as the directors may designate.

Time of commencing business.

§ 9. The board of directors shall have power to declare dividends on the stock of the company paid in at any time after the accumulations of profits.

Dividends.

§ 10. This corporation shall exist for the term of fifty years, from the date of the passage of this act, and shall be entitled to use all its corporate powers for two years thereafter and until all its business affairs are closed up.

Limitation.

§ 11. The directors shall have power to frame by-laws for the election and appointment of all the officers and agents of said company, and for regulating the operations of said company and to alter the same, in the manner to be provided in the by-laws: *Provided*, that the same shall contain nothing inconsistent with the constitution of this state or of the United States.

By-laws, etc.

§ 12. This act shall be a public act, and be in force from and after its passage.

APPROVED February 21, 1867.

AN ACT to incorporate the Secor Hand Stamp Company, of Chicago. In force Feb'y 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Secor Hand Stamp Company, and their successors, now organized and doing business in the city of Chicago, under "An act to authorize the formation of corporations for manufacturing, mining or chemical purposes," approved February 18, 1857, shall be a body politic and corporate, by the same name and style, and shall have succession, a common seal, power to plead and be impleaded, to appoint all necessary officers, servants and assistants, and may have and enjoy and exercise all the powers necessary to carry out and execute the purposes and interests of a hand stamp manufacturing company.

Name.

Powers

- Elections—
time and place.** § 2. After the passage of this act a majority of the stockholders shall designate a time and place for the election of a new board of directors of said company; and each share of stock shall be entitled to one vote.
- Capital stock** § 3. The capital stock of said company shall remain one hundred thousand dollars, fully paid, divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of the said company in such manner as its by-laws may prescribe.
- Assessment of
stock.** § 4. The directors shall have power, at any time, to assess the stock of each holder thereof to an amount not exceeding five (5) per cent., to pay any indebtedness now accrued or to accrue hereafter by said company.
- Assessments—
stock sold for
refusal to pay.** § 5. If any stockholder shall refuse or omit to pay the same thirty (30) days after being notified of such assessment, his stock in said company, or so much of it as may be necessary, may be sold by the directors, at public auction, to the highest bidder to pay such assessment; and the mode of such sale and the transfer of such stock shall be prescribed by the by-laws of the company. And the stock so sold shall become the property of the purchaser at such sale, and the transfer so made shall be legal and binding on such non-paying stockholders.
- Transfer stock.** § 6. The said corporation shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgage or other securities.
- Indebtedness.** § 7. It may be lawful for the company hereby incorporated to purchase and hold such real estate as may be deemed necessary by them for the successful prosecution of their business, and may have power to convey the same.
- Possession of
real estate, etc.** § 8. The affairs of the company shall be [managed] by a board of directors, at least three (3) in number. After the election as is herein provided, the directors shall be elected by the stockholders, at such time and place and in such manner as shall be established by the by-laws of said company. The directors of said company shall be elected annually; but any failure or omission to elect directors shall in nowise impair or affect the rights and powers of directors holding over, or the right or interest of the stockholders or others interested.
- Officers.** § 9. The directors shall have power to frame by-laws for the election or appointment of all the officers and agents of said company, for regulating the operations of said company, and to alter the same in the manner to be provided in said by-laws: *Provided*, that the same shall contain nothing inconsistent with the laws or constitution of this state or of the United States.
- Elections.** § 10. This act shall be deemed a public act, and be in force from and after its passage.
- By-laws.**

AN ACT to incorporate the Grigg's Excelsior Brick Machine Company. In force Feb'y 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That I. Ford Pearson, Philo J. Warner, Philip B. Shumway, Edward S. Taylor and Samuel H. Kerfoot, and their successors, be and they are hereby created and constituted a body corporate and politic, under the name of "The Grigg's Excelsior Brick Machine Company;" and, by such name, shall have perpetual succession, with power to sue and be sued, make and from time to time change at their pleasure a common seal, and have all the powers and authority incident to corporations, for the purposes hereinafter mentioned. The general office of said company shall be in the city of Chicago, state of Illinois.

Corporate name and powers.

Office.

§ 2. The capital stock of said corporation shall be two hundred and fifty thousand (\$250,000) dollars and may be increased from time to time, at the pleasure of said corporation. It shall be divided into shares of one hundred (\$100) dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors may prescribe.

Capital stock.

§ 3. The said corporation, for the purpose of purchasing and selling the right to use, manufacture and vend said machines, and to manufacture and vend bricks or any other articles to be made by said machines, and for the purpose of carrying on its operations and promoting its objects and interests, is hereby authorized and empowered to purchase lands, erect suitable buildings thereon, purchase and set up the necessary machinery, to take, hold, mortgage and convey real estate, to make and execute contracts, and generally, to do any and all acts necessary for the successful carrying on of its business.

Object.

Machinery.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors, and such officers and agents as said board may appoint; shall be the only authorized officers and agents of said corporation. The first board of directors of said corporation shall consist of said corporators herein named, or any three of them, and, thereafter of not less than three (3) nor more than seven stockholders of said company, who shall be chosen on the first Monday of January, in each and every year, by the stockholders, at such time and in such manner as the said corporation shall by its by-laws prescribe. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen in the board, by death, resignation or otherwise; they may also adopt such by-laws, rules and regulations for the government of said corporation and the management of its affairs and business as they may think proper, not inconsis-

Officers.

By-laws.

ent with the laws of this or contrary to the constitution of this or of the United States.

§ 5. This shall be deemed a public act, and be in force from and after its passage.

APPROVED February 21, 1867.

In force Feb'y
22, 1867.

AN ACT to incorporate the Illinois Linen Company.

Corporate name
and powers.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles Walker, Mahlon Ogden, Geo. W. Gage, Roswell B. Mason and John B. Turner, and their successors, be and are hereby created a body corporate and politic, under the name and style of "The Illinois Linen Manufacturing Company;" and, by that name and style, they and their successors shall be capable in law of contracting and being contracted with, suing and being sued, defending and being defended, in all courts and places and in all matters and places whatsoever, with full power to acquire, hold, occupy and convey all such real and personal estate as may be necessary for the construction and operation of the works of said company, and for the management and good government of the same; and they may have a common seal, and the same may alter, break and renew at pleasure; and that they may do and perform all such acts and things as are or may become necessary for the furtherance and advancement of the business of said corporation, as fully and completely as a natural person might or could do.

Objects.

§ 2. The said corporation, for the purpose of carrying on its operations of hackling, carding, drawing and rooving, spinning, weaving, coloring, bleaching and finishing all kinds of yarns, threads and cloths, made from all kinds of hemp, flax and similar fibres, is hereby authorized and empowered to purchase land and buildings, with machinery and utensils, and to erect suitable mills, machinery, dwellings and storehouses; to take, hold, mortgage and convey real estate; to make contracts generally, and to do any and all acts necessary for the successful carrying out of a general manufacturing business.

Capital stock.

§ 3. The capital stock of said corporation shall be twenty-five thousand dollars, and may be increased, from time to time, at the pleasure of said corporation. It shall be divided into shares of one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors may direct.

Officers, etc.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such

officers and agents as said board shall appoint. The board of directors shall consist of not less than five nor more than seven stockholders, who shall be chosen annually, by the stockholders of the corporation, at such time and in such manner as the said corporation shall, by its by-laws, prescribe, and shall hold their offices until their successors are elected and qualified, and shall have power to fill any vacancies which may happen in the board of directors by death, resignation or otherwise; they may adopt such rules and regulations for the government of said corporation and the management of its affairs and business as they may think proper, not inconsistent with the laws of this state or of the United States.

§ 5. This act shall be deemed a public act, and noticed as such by all courts, without pleading, and it shall take effect from and after its passage.

APPROVED February 22, 1867.

AN ACT to incorporate the Pontiac Woolen Manufacturing Company. In force Feb'y 20, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Maulone, John Roberts, J. B. Tyler, Jonathan Duff, J. W. Strevell, J. W. Remick, Samuel L. Fleming, Stephen C. Crane, J. W. Benham and B. P. Babcock, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The Pontiac Woolen Manufacturing Company," located in Pontiac, Livingston county, Illinois; and shall have succession, a common seal, power to plead and be impleaded, to appoint all necessary officers, servants and assistants, and may have and enjoy all the powers necessary to carry out and execute the purposes and interests of a manufacturing company.

§ 2. A majority of the corporators herein named may proceed to open books for subscription to the stock of said company, and shall, at the same time, or thereafter, designate a time and place for the first election of directors of said company, by parties subscribing to the stock thereof; and each stockholder shall be entitled to one vote.

§ 3. The capital stock of said company shall be fifteen thousand dollars, with power to increase the same to one hundred thousand dollars, to be subscribed and paid for in the manner which may be prescribed by the by-laws to be formed by the said company, and shall be divided into shares

of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of the said company in such manner as its by-laws prescribe.

Borrow money. § 4. The said corporation shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgage or other securities, upon real estate or personal property owned by them.

Indebtedness. § 5. The said corporation shall have power to receive bills, notes, bonds and deeds of trust or mortgages, taken or received by them in the prosecution of their business.

Possession of real estate, etc. § 6. It shall be lawful for the company hereby incorporated to purchase and hold such real estate as may be deemed necessary by them for the successful prosecution of their business or which may be taken by them upon any debt owing to said corporation, and shall have power to sell and convey the same.

Directors. § 7. The affairs of said company shall be managed by a board of directors, at least three in number. After the first election, as herein provided, the directors shall be elected by the stockholders, at such time and place and in such manner as shall be established by the by-laws of said company. The directors of said company shall be elected annually, but any failure or omission to elect directors shall in nowise impair or affect the rights and powers of the directors holding over, or the rights or interests of the stockholders or others interested.

By-laws. § 8. The directors shall have power to frame a body of by-laws for the election or appointment of all the officers and agents of said company and for regulating the operations of said company, and to alter the same in the manner to be provided in said by-laws: *Provided*, that the same shall contain nothing inconsistent with the laws or constitution of this state or of the United States.

Woolen manufactory. § 9. The board of directors now acting for the Pontiac Woolen Manufacturing Company, heretofore organized under the general laws of the state relating to the organizations of manufacturing companies, constitute and act as the first board of directors herein before provided for; and that all the property and rights and obligations of said company be hereby transferred to, held and bound by the company hereby authorized to be organized.

§ 10. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED February 20, 1867.

AN ACT to incorporate the Chester Foundry and Machine Shop Company. In force Feb'y 14, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Herman C. Cole, Joseph B. Holmes, John George Middendorf, August Philipp, Gabriel S. Jones, John B. Holmes, their associates, successors, heirs and assigns, are hereby created a body politic and corporate, by the name and style of "The Chester Foundry and Machine Shop Company;" and, by that name, they shall have perpetual succession, may sue and be sued, plead and be impleaded, answer and be answered to in all courts and places whatsoever, may have a common seal, may alter the same at pleasure, and shall be capable in law of purchasing and holding real and personal estate, and may convey away the same for the purposes and objects of said corporation.

Corporate name and powers.

§ 2. The said company are hereby authorized to build, maintain and operate a foundry and machine shop at or near the city of Chester, in the county of Randolph, and may carry on the business of manufacturing, from wood and iron, or other material, in as many ways and branches as they may deem for their interest, and may use all such powers and privileges, to select such officers, agents, managers and servants as may be necessary to carry on the business and manufactures, according to the objects of this act, as herein expressed, as fully and to the same extent that a natural person might or could do.

Business and operations.

§ 3. Said company may, from time to time, increase the corporation to such numbers and their capital stock to such sum as may be necessary to carry on their business, and shall have power to make and establish all such by-laws, rules and regulations as they shall deem necessary for the management and direction of the affairs of the company, the same being consistent with the constitution and laws of this state and of the United States.

Increase of corporations and capital stock.

By-laws.

§ 4. The shares in said company shall be fifty dollars each, and each share shall be entitled to one vote in the election of directors; and upon the petition of persons representing twenty shares of the stock, to the president of the company, he shall, at that time, call meetings of the stockholders for business purposes.

Stock shares.

Stockholders—meeting.

§ 5. This act shall be in force from and after its passage.

APPROVED February 14, 1867.

In force Feb'y
18, 1867.

AN ACT to incorporate the Lumber Manufacturing Company.

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| Corporate name and powers. | <p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Daniel Shepard, A. F. Stevenson and Daniel J. Schuyler, and their associates and successors, are hereby made and constituted a body corporate and politic, by the name and style of "The Lumber Manufacturing Company;" and, as such corporation, shall have perpetual succession; may sue and be sued; have a common seal, which they may alter at pleasure; may make contracts in and about their business; may own so much real estate, in or out of this state, and other property, as they shall deem necessary for the purposes of said corporation, which they may sell, lease or mortgage. Said company are authorized to borrow money and pay interest thereon, not exceeding the legal rate, and to pledge their property and franchises to secure the same, by mortgage, trust deed, or otherwise; may make such by laws, rules and regulations as they may deem necessary, from time to time, for the government, management and prosecution of the affairs of the company and their agents; and have and enjoy all the rights, privileges and immunities and be subject to all the liabilities incident to a body corporate and politic.</p> |
| Indebtedness. | |
| By-laws. | |
| Capital. | <p>§ 2. The capital stock of said company shall be one hundred thousand dollars, and the same may be increased by the stockholders, when, in their opinion, the business of said company shall require, to an amount not exceeding in the aggregate the sum of five hundred thousand dollars, which capital stock shall be divided into shares of one hundred dollars each, to be deemed personal property and transferable on the books of said company, subject to such rules and regulations as the by-laws shall provide.</p> |
| Directors. | <p>§ 3. The business of said company shall be conducted by a board of five directors, who shall be elected annually by the stockholders; and the said directors shall elect from their number a president, vice president, secretary, and treasurer, who shall hold their offices during the term of their directorship, and perform such duties as shall be prescribed by the by-laws or order of the board of directors; and such board may appoint other officers and agents and prescribe their duties. The said board of directors shall have authority to call in the money due on the capital stock, from time to time, as they shall require for the business of said company, and may declare forfeited any share thereof on which remains due and unpaid, for the space of ninety days, any installment thereon, and may impose fines and penalties for a violation of the by-laws or rules of the board.</p> |
| Officers. | |
| Directors — duties and authority. | |

§ 4. The said company are hereby authorized to own, occupy and operate one or more saw and planing mills, for the sawing, dressing and cutting of lumber into boards, flooring or other forms, for building purposes, and may manufacture sash, doors, blinds, brackets, mouldings, frames, or other articles manufactured from lumber or timber, and may make shingles and use and employ machinery in and about their business, propelled by steam or water power; and they are further authorized to purchase and hold lands or other real estate, for the purposes of cutting therefrom timber and saw logs, and sell said lands or real estate; and they are hereby authorized to establish one or more depots or agencies for the sale of any or all of the products of their mills or manufactory, and may purchase timber, logs or lumber, to supply their said mills or agencies and may sell and dispose of any of their property, whether resulting from their said mills or otherwise: *Provided*, that the principal office of said company shall be located in the city of Chicago, in the state of Illinois.

Business and operations

§ 5. The said company are hereby authorized to own, buy, sell and operate one or more propellers, steamers or vessels, for the transportation of their lumber, shingles or other property to market; and they shall be authorized to receive on board of their propellers, steamers or vessels the property of others, for transportation, and may charge and collect therefor; but in all such cases they shall be subject to all the liabilities incident to common carriers.

Transportation.

§ 6. The said company may purchase, take or hold, by deed or lease, or otherwise, within or without this state, such wharves, lots, landings, lumber yards, property, store or storehouses and may erect and build such structures and make such improvements thereon, and carry on their business of manufactory, buying and selling therein and thereon, as shall in their judgment promise to prove to their interest and advantage; and may do, generally, all other acts and things without the state which they might do within the state.

Possession of property, etc.

§ 7. This act shall be deemed a public act, and take effect and be in force from and after its passage.

APPROVED February 18, 1867.

AN ACT to incorporate the Illinois Cotton Company.

In force Feb'y
19, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Charles N. Holden, Charles B. Farwell, John M. Underwood, Charles C. P. Holden and John R. Walsh, or three of them,*

Corporators.

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| | are hereby made trustees, and are authorized to open books of subscription for the capital stock of a corporation, to be known as "The Illinois Cotton Company;" and may receive subscriptions thereto to the amount of six hundred thousand dollars (\$600,000.) |
| Style. | |
| Subscription. | |
| Ten days' notice | § 2. When the sum of one hundred thousand dollars shall have been subscribed and five per centum thereof paid in, said trustees may, by giving ten days' notice, by mail, addressed to each subscriber, of time and place of meeting, call an election for not less than seven nor more than fifteen directors, who, when elected, shall serve as directors for one year or until their successors are elected, under such rules or by-laws as the directors may adopt. |
| Directors. | |
| | § 3. The said directors and their associates, being stockholders in said company, are hereby made a body politic and corporate, by the name and style of "The Illinois Cotton Company," with perpetual succession; and, by that name may contract and be contracted with, may sue and be sued, have a common seal, and alter the same or revise it at pleasure; and may exercise all the rights, privileges and immunities which are or may be deemed necessary to carry into effect the purposes and objects of this act, as herein set forth. |
| Powers in law. | |
| Seal. | |
| Privileges. | |
| | § 4. The said company shall have power and authority to purchase or otherwise receive and hold or sell such lands, lots, water-power, coal beds or peat fields, as they may deem necessary or convenient for the purpose of erecting buildings for mills, factories, warehouses, shops, stores or dwellings, with all the necessary machinery and power to carry on the manufacture of cotton, woolen or flaxen goods or merchandise of any or all descriptions, and to do all things necessary thereto, including the raising of cotton, wool or flax, the mining of coal or other fuel. |
| Real estate. | |
| Buildings. | |
| Raw material. | |
| Capital stock. | § 5. The capital stock of said company shall be one hundred thousand dollars, with the privilege of increasing the same, by a vote of a majority of the directors, to six hundred thousand dollars. The shares shall be one hundred dollars each; but no certificate of stock shall be issued except the same has been fully paid. Said stock shall be deemed personal property, and may be transferred and registered in such manner and in such places as the directors may provide in their by-laws. |
| Increase of. | |
| Shares. | |
| Stock transfer. | |
| Subscription. | 6. All subscriptions to the capital stock of said company shall be due and payable at such times and in such sums as may be decided by the directors or as set forth in the terms of subscription; and at all elections of said company, one ballot may be cast for each share of stock held by the person voting, who may vote in person or by proxy. |
| Elections. | |
| Directors. | § 7. The corporate powers of this corporation are hereby vested in said board of directors, who shall have power to make such by-laws and rules as they may deem best for |

the benefit of its management; and on the refusal or neglect of any subscriber to the stock thereof to pay their installments for thirty days after due, said directors may, on ten days' public notice of their intention to sell such stock, may sell the same at auction, to the highest bidder, but shall be held to such subscriber or owner for any surplus of such sale over the amount due on said stock.

§ 8. Said directors may choose a president, a vice president, a secretary and a treasurer, out of their own number, or the last named two may be chosen from stockholders who are not directors. They may elect or employ agents, superintendents, mechanics, operatives and laborers, and make all necessary rules and regulations for their government: *Provided*, nothing shall be done inconsistent with the constitution or laws of this state or the United States.

Officers.

Agents, etc.

Proviso.

§ 9. The directors shall fix the time for an annual election of directors, and may declare and pay such dividends on the capital stock of said company as may be shown to have been earned. They shall make an annual exhibit of their receipts, expenditures, earnings or losses, at each annual meeting.

Annual election

Annual exhibit.

§ 10. The directors are hereby empowered to borrow money, for the use of said company, and pledge for the payment of the same, with not over ten per centum interest thereon, the real or personal property of said company.

Borrow money.

Rate of interest

§ 11. Said company shall locate their works within this state, and their principal office shall be deemed to be where their principal works are located, but they may have agencies and offices, for the transaction of business or sale of goods, at other points; and the directors, by general rule, may fix their meetings at any such office in this state, and change the same at any annual meeting.

Principal office.

Meetings.

§ 12. This act shall be deemed a public act, and shall take effect on and after its passage.

APPROVED February 19, 1867.

AN ACT to incorporate the Chicago Lumber Dressing and Manufacturing Company. In force February 19, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That James Campbell, Lucius J. Cobb, Samuel K. Dow, George Gage, Edwin Drury, Erastus Hays and Clark Gieβ, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of "The Chicago Lumber Dressing and Manufacturing Company;" and, by that name, they and their successors

Corporate name and powers.

shall have perpetual succession, and be capable in law of contracting and being contracted with, suing and being sued, of having and using a common seal, of constructing, purchasing, holding, using and selling such machinery, stock, materials and other personal property, and of leasing, purchasing, holding and conveying such real estate, in the city of Chicago or elsewhere, as shall be found necessary or desirable for the business and objects of this corporation, whose general office shall be located in the city of Chicago.

Real estate.

General office.

Business.

§ 2. The said corporation is authorized to dress, manufacture, purchase and sell lumber, building materials, and all other articles and materials, and the manufactured products thereof connected with or incident to such manufacturing business.

Capital stock—
shares.

§ 3. The capital stock of said company shall consist of such sum, not exceeding two hundred thousand dollars, and be divided into shares of such amount as the stockholders may, from time to time, determine. Such shares shall be personal property, and transferable in such manner as the by-laws of said company shall prescribe.

Directors.

§ 4. The corporation hereby created shall be under the direction of such number of directors as the stockholders may, from time to time, determine; and, until otherwise ordered, the number of directors shall be seven. Such directors shall be stockholders and shall be elected by the stockholders at such time and in such manner as the by-laws of said company shall provide, and hold their office for the term for which they were elected and until their successors are elected.

First board of
directors.

§ 5. James Campbell, Lucius J Cobb, Samuel K. Dow, George Gage, Edwin Drury, Erastus Hays and Clark Gieb shall constitute the first board of directors, under this act, and shall hold their office until their successors are elected in manner herein provided.

Quorum.

§ 6. The directors of said company, a majority of which shall constitute a quorum, shall have and exercise, unless otherwise ordered by the stockholders, all the powers hereby conferred on said corporation, and may elect such officers and agents and make such by-laws, rules and regulations, not inconsistent with the laws of this state, for carrying into effect the objects of this act, as to them shall seem expedient. They shall also have power to fill any vacancy that may happen among the directors, by death, resignation or otherwise.

Officers, etc.

By-laws.

Vacancy.

Evidence of re-
cords.

§ 7. Copies of the minutes, proceedings, rules and by-laws of the company, certified by the president or secretary, under the seal of the corporation, shall be received in evidence.

§ 8. This act shall be deemed and noticed as a public act, without being specially pleaded, and shall take effect from its passage.

APPROVED February 19, 1867.

AN ACT to incorporate the Union Hide and Leather Company, and to authorize said company to purchase and incorporate the entire property of the Turner and Sidway Leather Company. In force Feb'y 14, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William H. Turner, Leverett B. Sidway and Clemens Hirsch, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The Union Hide and Leather Company;" and, by that name, they and their successors shall be known, and have perpetual succession; may sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity; and may have and use a common seal, and may alter the same at pleasure. Corporate name and powers.

§ 2. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same, by the vote of a majority of the stockholders, and to be subscribed and paid for in the manner hereinafter mentioned; which said capital stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and shall be transferred on the books of said company in such manner as its by-laws may prescribe. Capital stock.

§ 3. Said company is hereby empowered, at the discretion of the directors, to purchase, acquire and incorporate the entire property, real, personal and mixed, of the Turner and Sidway Leather Company, which was incorporated in Chicago, Cook county, and state of Illinois, in the year 1866, under an act of the general assembly of the state of Illinois, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes," approved February 18th, 1857, and to transact a general hide, leather and tanning business, and to buy and sell, on their own account or on commission, and to do such other lawful acts as are incident to a general hide, leather and tanning business. And the said Turner and Sidway Leather Company is authorized to make sale to said Union Leather Company, as aforesaid; and all demands due said Turner and Sidway Leather Company shall, after said purchase and sale, be due to and sued for and recovered in the name of said Union Hide and Leather Company; and all debts of said Turner and Sidway Leather Company shall, after said purchase and sale, be due, assumed and paid by said Union Hide and Leather Company. May purchase property, etc.

§ 4. It shall be lawful for said company to acquire, purchase and hold or sell and dispose of such real estate as may be necessary for the convenient and economical transaction of its business including timber lands for tan bark Business and operations.

Sale of property

Debts assumed.

Purchase and sale of real estate, etc.

Take security.

purposes; and may also borrow money, and pay interest thereon; and make and execute bonds, bills, notes and mortgages and other securities and evidences of indebtedness, as may be necessary for carrying on the business of the company; and may also take security from its customers and others upon real estate or personal property or chattel interests for debts due it, including accruing or future indebtedness; and also to bid in, or purchase any real estate, or personal property or chattel interests, at any judicial or other sale made by virtue of debt, security, trust or power made to, vested in, or held by or for said company; and to receive or take in satisfaction of any debt or security, any real estate or other property, and to hold or dispose of the same for its own use or benefit.

Directors.

§ 5. The affairs of the company shall be managed by a board of not less than three directors, all of whom shall be stockholders in said company; they shall hold their office for one year and until their successors shall be elected and qualified. An election of directors shall be held by the stockholders when one hundred thousand dollars of the capital stock shall have been subscribed, and any two of the incorporators herein named may be commissioners to open books for subscriptions to the capital stock.

President.

§ 6. The directors shall, annually, elect a president from their own body; they shall have power, from time to time, in their discretion, to make, pass, alter, establish, rescind, and re-establish such rules, regulations and by-laws for the government of said company, and the management of its affairs and business, and for the appointment of a secretary, treasurer, and all such attorneys and agents as they may see proper, and may prescribe their duties, fix their remuneration, require bonds, and do all other acts that they may deem expedient to promote the interests of said company, not inconsistent with the laws of the state, or of the United States, but no by-law shall be passed without the consent of a majority of the directors, and all the acts of the duly appointed agents of said company done and performed under authority of its by-laws, rules and regulations, shall be binding on said company.

By-laws, etc.

Officers.

Annual election

§ 7. After the organization of the company and the election of its first board of directors, an election of directors shall be held annually on the first Tuesday after the first Monday in January in every year, at such place as the board of directors may appoint; such election shall be by ballot, every stockholder shall be entitled to one vote for every share of capital stock standing in his or their name on the books of said company, and may vote in person or by proxy.

Subscription—
calls for bal-
ance due.

§ 8. The directors shall have power to call for any balance due on the subscription to the capital stock of said company, at such times and in such installments as they

may deem proper, and in the event of the non-payment of any call within sixty days after due notice has been given, (which may by letter mailed to his or her address as it appears on the stock books of said company,) it shall be lawful for the directors, at their option, to enforce said pay-
Payment.
 ment, or sell fairly, by public auction, the amount of stock standing in the name of such non-paying stockholder to any person or persons, or to buy in the same for the benefit of said company, and the proceeds of such sale, if any, over and above any indebtedness of such non-paying stockholder, who shall, upon such sale, cease to be a stockholder in said company; and the purchaser or purchasers of said shares of capital stock shall have and enjoy all the rights, privileges and profits accrued or accruing to or in respect of the said shares of capital stock, and become liable for the payment of all calls then due or thereafter made on such shares of capital stock.

§ 9. It shall be lawful for the directors of said company,
Dividends.
 from time to time, to make and declare and pay dividends upon the capital stock of said company in such manner and in such amounts as they may deem most expedient for the interest of said company.

§ 10. Said company shall keep in the office of its secretary proper books, in which shall be kept a full and correct record of the names and post office address of its stockholders, to be furnished by them, and of the amount of stock held by each and of all transfers thereof; also, a record of the proceedings of the stockholders of said company and the proceedings of its board of directors, and of its by-laws, rules and regulations, and of its business transactions, which books shall be subject to inspection at all times during business hours by any stockholders.
Records.

§ 11. The property and effects of said company shall be liable and subject to execution and sale for the debts owing and due by said company.
Property, etc.—
liable to execution and sale
etc.

§ 12. Nothing in this act contained shall be construed as conferring banking powers upon the corporation hereby created.
Banking powers

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

APPROVED February 14, 1867.

AN ACT to incorporate the United States Clock and Brass Company. In force Feb'y
12, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Charles N. Holden, William A. Giles, Seth P. Warner, DeWitt C.
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Corporate name
and powers.

Greenleaf, John Adriance, Hugh McLennan and Edward W. Russell, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of "The United States Clock and Brass Company;" and, by that name, they and their successors shall have perpetual succession, and be capable in law of contracting and being contracted with, suing and being sued, of having and using a common seal, of contracting, purchasing, holding, using and selling such machinery, stock, materials, patent rights, and other personal property, and of purchasing, holding, conveying and leasing such real estate, in the county of Cook, or elsewhere, as shall be found necessary or desirable for the business and objects of this corporation, whose general office shall be located at Austin, in the town of Cicero, in the county of Cook, and state of Illinois.

General office.

Business and
operations.

§ 2. The said corporation is authorized to manufacture, purchase and sell clocks, and parts thereof, and materials for the manufacture of clocks; also, to purchase and sell copper, smelt, roll and stamp the same; also, to manufacture, purchase and sell brass and the materials for the manufacture of brass; also, to roll and stamp brass; also, to manufacture, purchase and sell brass and copper wares, goods and machinery, of all kinds.

Capital stock.

§ 3. The capital stock of said company shall consist of two hundred thousand dollars. The said corporation is authorized to increase the capital stock, from time to time, to an amount not to exceed the sum of five hundred thousand dollars, by a vote of a majority of the directors. Said capital stock shall be divided into shares of one hundred dollars each, and such shares shall be personal property, and transferable in such manner as the by-laws of said company shall prescribe.

Directors.

§ 4. The corporation hereby created shall be under the direction of seven directors. Such directors shall be stockholders, and shall be elected by the stockholders at such time and in such manner as the by-laws of said company shall provide, and hold their offices for the term for which they were elected, and until their successors are elected.

First directors.

§ 5. Charles N. Holden, William A. Giles, Seth P. Warner, DeWitt C. Greenleaf, John Adriance, Hugh McLennan and Edward W. Russell, shall constitute the first board of directors under this act, and shall hold their offices until the twenty-second day of February, A. D. 1868, and until their successors are elected in manner hereinbefore provided.

Officers.

§ 6. The directors of said company, a majority of whom shall constitute a quorum, shall have and exercise, unless otherwise ordered by the stockholders, all the powers hereby conferred on said corporation, and may elect and appoint such officers and agents and make such by-laws, rules and regulations, not inconsistent with the laws of this state or

of the United States, for carrying into effect the objects of this act, as to them shall seem expedient. They shall have power to fill any vacancy that may happen among the directors, by death resignation or otherwise.

Vacancies.

§ 7. The said corporation shall have power to borrow money, and may secure the same by deed of trust, or mortgage, or other security.

Borrow money.

§ 8. This act shall be deemed and noticed as a public act, without being specially pleaded, and shall take effect from and after its passage.

APPROVED February 12, 1868.

AN ACT to incorporate the Garden City Manufacturing and Supply Company. In force Feb'y 13, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That A. C. Hesing, Hiram Pomeroy and Augustus Buning, their associates and successors, are hereby made and constituted a body politic and corporate, by the name and style of "The Garden City Manufacturing and Supply Company;" and, by that name, shall have perpetual succession, may sue and be sued, may have a common seal, may make by-laws and contracts, and own so much real estate as they shall deem necessary for the transaction of their business, and may have and exercise all the powers and privileges and be subject to all the liabilities of a body corporate and politic.

Corporators.

Name and style

§ 2. The capital stock of said company shall be fifty thousand dollars; but the same may be increased by a vote of the stockholders to any amount they may deem necessary for the purpose of said corporation and for its successful operation. Said capital stock shall be deemed personal property, and be divided into shares of one hundred dollars each, and transferable on the books of the company in the manner provided by the by-laws.

Capital stock.

§ 3. The business of said company shall be managed by a board of five (5) directors, to be elected annually, by the stockholders, at such time as shall be fixed by the by-laws; and the said directors may elect and appoint such other officers and agents and prescribe their duties, as they shall deem proper. The said company may proceed to do business whenever twenty-five thousand dollars shall have been subscribed to the capital stock, and may erect such buildings and purchase and hold such real estate as they shall deem necessary for the purpose of manufacturing, as hereinafter provided.

Business.

Indebtedness.

§ 4. The said company are hereby authorized to borrow money and pledge their property as security, in such manner as they shall deem necessary, and they may engage in the business of manufacturing of all kinds, and may establish agencies for the sale of the articles made; but the principal place of business of said company shall be in Chicago. They may erect and operate all necessary machinery in and about their business, and may employ laborers, mechanics or others, and do all acts necessary in and about a general manufacturing business; and may buy and sell produce or other property on commission or otherwise.

§ 5. This act shall be a public act, and shall be in force from and after its passage.

APPROVED February 13, 1867.

In force March
9, 1867.

AN ACT to incorporate the Aetna Peat Company, of Chicago, Illinois.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Warren P. Butterfield, of Chemung, McHenry county, and John M. Underwood and Charles N. Holden, of Chicago, Illinois, and their associate stockholders, are hereby incorporated and made a body politic, for the purposes herein named.*

Powers of corporation.

§ 2. The said corporation may have and use a common seal, sue and be sued, may appoint or employ such servants and agents and establish such rules and by-laws, for the management of its business, as the directors may deem necessary to carry on the business of manufacturing of peat fuel and the sale thereof, in this state, or elsewhere; to buy and sell or lease and sublease lands, peat marshes and peat beds; to buy or erect machinery, buildings and all necessary apparatus and appurtenances, to carry on the said manufacture and sale of peat: *Provided*, said corporation shall do nothing inconsistent with the laws of this state or of the United States.

Possession of property, etc.

Machinery and appurtenances

Capital stock.

§ 3. The capital stock of said company shall not be less than fifteen thousand dollars, and may be increased by the directors to an amount not exceeding two hundred thousand dollars, and no certificate of stock shall be issued until the same has been fully paid to said company. The shares shall be one hundred dollars each; and at all elections each share shall represent one vote.

Certificates of stock.

Election of directors.

§ 4. When fifteen thousand dollars shall have been subscribed and twenty per cent. paid in thereof, the subscribers thereto, upon ten days' notice to each subscriber, may hold an election for not less than three or more than seven directors, who, when so elected, shall hold their office for one

year, and until their successors are elected, under such by-laws as the directors may make for the management of the company. Said directors shall have in charge the entire business of the company, and may appoint their own president, secretary, treasurer and other officers, and shall make an annual report to the stockholders of their general business and of all affairs of the company, and fill any vacancy of their number.

Officers.

Annual state-
ment.
Vacancy.

§ 5. The stock of said corporation shall be deemed personal property, and transferable on the books of the company, under the rules adopted for that purpose. Their principal office shall be in the town of Chemung, Illinois, where their principal works are located; but the directors may hold meetings at any place designated in their rules.

Stock shares
transferable.

Principal office.

§ 6. The directors may make dividends and pay the same from the net earnings of the company; may contract and be contracted with, and may do all things necessary to fully prosecute the manufacture and sale of peat fuel.

Dividends.

General powers.

§ 7. This act shall be deemed a public act, and shall take effect on and after its passage.

APPROVED March 9th, 1867.

AN ACT to incorporate the Northwestern Chemical Company.

In force March
9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Willard M. Fuller, George Grunther and Anthony Rauwolf, and their successors, associates and assigns, be and they are hereby constituted a body politic and corporate; to have continued succession extended for the term of fifty years, and to be known as "The Northwestern Chemical Company;" and, by that name and style, may contract and be contracted with, sue and be sued, as a natural person; they may have and use a common seal; they shall have power, in their corporate name, for the use of said corporation, to purchase and hold sufficient real estate for the free enjoyment of all privileges herein granted, and to make all proper by-laws and rules for the government of said corporation.

Corporate name
and powers.

§ 2. The capital stock of said company shall be twenty-five thousand dollars, with power to increase the same to any sum not exceeding two hundred thousand dollars.

Capital stock.

§ 3. The above named persons, or a majority of them, may meet at any time after the passage of this act, and organize said company, on the stock therefor being subscribed for to the amount of twenty-five thousand dollars; and they may issue certificates, and then hold an election for such officers as may be created by the by-laws, which may be

Organization.

Election of
officers.

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| Term of office. | hereafter enacted for the government of said company; which officers shall hold their office for the length of time fixed by the said by-laws, to be enacted hereafter by said company. Said by-laws may be changed, from time to time, as may be provided by said corporation, acting through its managers. |
| Business and operations. | § 4. Said corporation is hereby authorized and empowered to establish and maintain chemical and other works at the place designated herein, for the purpose of manufacturing and converting animal matter into an agricultural fertilizer, and into other chemical products, by means of chemical, mechanical and other processes. |
| Where established. | § 5. Said chemical works shall be established in Cook county, Illinois, and within two miles of Ainsworth Station, in said county. Said corporation may establish and maintain depots in the city of Chicago, for the purpose of receiving and carrying off from and out of the said city any and all animal matter which they may buy or own, subject to such regulations as the common council of the said city may prescribe. |
| Depots, etc. | § 6. This act shall take effect and be in force from and after its passage and approval. |
| | APPROVED March 9, 1867. |

In force March
9, 1867.

AN ACT to incorporate the Peoria Manufacturing Company.

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| Corporators. | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Sydney Pulsifer, Levi Wilson, Peter Frye, Addison S. Norton, and other associates, be and are hereby created a body politic and corporate, under the name and style of "The Peoria Manufacturing Company;" and they, and their successors, shall have perpetual succession, and may sue and be sued in any court whatsoever, and may have and use a common seal, which they may alter at pleasure. |
| ame and style | |
| Capital stock. | § 2. The capital stock shall be one hundred and fifty thousand dollars, and may be increased, by a vote of the stockholders, representing said stock; and the shares of stock shall be one hundred dollars each. The said company may organize when ten thousand dollars of said stock shall have been subscribed. Books may be opened for the subscription of stock at Peoria, Peoria county, Illinois, within six months from and after the passage of this act, by either or any of said corporators. The general office of said company shall be in the city of Peoria. |
| Organization. | |
| Management of business, etc. | § 3. The business of said corporation shall be managed by a board of three directors, one of whom shall be president, and such other officers as the board may think the |

interests of the corporation may require. Such directors shall be elected annually, and shall continue in office until their successors are chosen; and said directors may make such by-laws for its government as the necessity of the corporation may require, not inconsistent with any laws of this state.

§ 4. Such corporation shall have power to purchase and hold any real estate, for the purpose of carrying on the business of said corporation, in their discretion; and said corporation is authorized to manufacture and sell, at Peoria or elsewhere, thimble skeins, sad irons, wagons and any other article or thing to be manufactured out of iron and wood, or either.

§ 5. This act shall be deemed a public act, and shall take effect from and after its passage.

APPROVED, March 9, 1867.

AN ACT to incorporate the Ottawa Paper Manufacturing Company.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That F. A. Sherwood, W. C. Richardson, H. J. Logan, J. E. Porter, and Thomas Johns, and their associates and successors, and assigns, and all such persons as shall become stockholders in the company hereby created, shall be a body corporate and politic, by the name and style of "The Ottawa Paper Manufacturing Company;" and shall have succession, a common seal, power to plead and be impleaded; to appoint all necessary officers, servants and associates; and may have and enjoy and exercise all the powers necessary to carry out and execute the purposes and intents of a paper manufacturing company, of all kinds and descriptions of paper, from all and every kind of material they may choose to use.

Corporators.

Name and style.

Purposes and
interests.

§ 2. A majority of the corporators herein named may proceed to open books for subscription to the capital stock of said company, and shall, at the same time or thereafter, designate a time and place for the first election of directors of said company, by parties subscribing to the stock thereof; and each share of stock so subscribed for shall be entitled to one vote.

§ 3. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same to five hundred thousand dollars; to be subscribed and paid for in the manner which may be prescribed by the by-laws to be adopted by said company, and shall be divided into shares of one hundred dollars each, which shall be

Capital stock.

deemed personal property, and shall be transferred on the books of the company in such manner as its by-laws may prescribe.

Indebtedness.

§ 4. The said corporation shall have power to borrow money, and may secure the payment of the same by mortgage or other security.

Possession of property, etc.

§ 5. It may be lawful for the company hereby incorporated to purchase and hold such real estate or personal property as may be deemed necessary by them for the successful prosecution of their business; and may have power to sell and convey the same.

Officers and government.

§ 6. The affairs of the company shall be managed by a board of directors, at least five in number; and after the first election, as herein provided, the directors shall be elected by the stockholders at such time and place and in such manner as shall be established by the by-laws of said company. The directors of said company, shall be elected annually; but any failure or omission to elect directors shall in nowise impair or affect the rights and powers of directors holding over, or the rights or interests of the stockholders or others interested.

By-laws.

§ 7. The directors shall have power to frame a body of by-laws for the election or appointment of all the officers and agents of said company, and to alter the same in the manner to be provided in said by-laws: *Provided*, that the same shall contain nothing inconsistent with the laws or constitution of this state or of the United States.

§ 8. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED February 25, 1867.

In force Feb'y 25, 1867. AN ACT to incorporate the Ottawa Woolen Manufacturing Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That D. F. Cameron, J. F. Nash, E. Y. Griggs, George Avery, R. V. Waterman, and their successors, be and they are hereby created and constituted a body corporate and politic, under the name and style of "The Ottawa Woolen Manufacturing Company;" and, by such name, shall have perpetual succession, power to sue and be sued, and all the powers and authority incident to corporations, for the purposes hereinafter mentioned.

Name and style.

Capital stock.

§ 2. The capital stock of said corporation shall be one hundred thousand dollars, and may be increased, from time to time, at the pleasure of said corporation. It shall be di-

vided into shares of one hundred dollars each, and may be issued and transferred in such manner and upon such conditions as the board of directors may direct.

§ 3. The said corporation, for the purpose of carrying Powers.
on its operations and promoting the establishment of woolen manufactories, is hereby authorized and empowered to purchase lands, erect suitable buildings thereon, procure and set up the necessary machinery; to take, hold, mortgage and convey real estate; to make and execute contracts, and, generally, to do any and all acts necessary for the successful carrying on of a general manufacturing business.

§ 4. All the corporate powers of said corporation shall be Officers.
vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The first board of directors shall consist of said named persons; and, thereafter, of not less than three nor more than seven stockholders, who shall be chosen each and every year by the stockholders, at such time and in such manner as the said corporation shall by its by-laws prescribe. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may hap- Vacancies.
pen in the board, by death, resignation or otherwise; they may also adopt such by-laws, rules and regulations, for the government of said corporation and the management of its By-laws, etc.
affairs and business as they may think proper, not inconsistent with the laws of this state.

§ 5. This act shall be deemed a public act, and noticed by all courts as such, and shall take effect from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Union Mining and Manufacturing Company. In force March 6, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James Whitten, Jerome Warner and L. Fay Vose, of Will county, Illinois, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name and style of "The Union Mining and Manufac- Corporate name
turing Company;" and, by that name, shall have perpetual and powers.
succession, with power to contract and be contracted with, sue and be sued, in all courts and places; to have a common seal, and change the same at pleasure; to engage in the mining, manufacturing, sale and transportation of coal, iron, coke, coal oil, and all kinds of mechanical and manu- Business trans-
facturing business, by mills, furnaces, founderies, factories, actions and
machine shops, shafts, pits and other means and structures operations.

for mining, manufacturing and making any and every kind of articles of coal, iron, wood, metals, wool, cotton, flour, meal, or other material, or any composition, combination or mixture of them, and to carry on the same by steam or other power or agent not prohibited by law.

Business
powers.

§ 2. The said company may receive, purchase and hold any real estate, lease hold property, chattels real, mining rights and personal property, for the purpose of mining and manufacturing, as aforesaid, and preparing for transportation and selling any and all of said articles, minerals and fabrics, as may be deemed necessary by them to the successful prosecution of their business and the execution of the powers herein granted. And said company shall have power to buy, build and own machinery, boats, houses and other fixtures, for carrying on their said business; and may sell and convey their real and personal property, or lease the same, or exchange the same for other real and personal property; and may receive real estate and personal property in payment of stock; and shall have power to make and open such wagonways and railways and appurtenances thereto, either above or below ground, to such points as they may deem expedient; and to draw, indorse and accept bills of exchange, promissory notes, or bonds, in the prosecution of their business.

Capital stock.

§ 3. The capital stock of this company shall be five hundred thousand dollars, divided into shares of one hundred dollars each, with power, by vote of the stockholders, at any meeting duly called, to increase the said capital stock to any amount not exceeding one million of dollars.

Line of road.

§ 4. The company shall have power to construct railroads from their coal mines to any part of the counties of Will, Grundy and Kankakee, and to connect with any internal navigation or railroads therein.

Stock subscrip-
tion.

§ 5. The corporators named in the first section of this act, or a majority of them, or of the survivors, in case any should die, are hereby authorized to open books of subscription to the capital stock of said company, at such places and times as they shall deem most appropriate; and, as soon as the sum of five thousand dollars (\$5,000) shall be subscribed and forty per cent. paid in, the subscribers to said stock may elect a president and not less than three directors, to manage and transact the business and affairs of said company; at which election each subscriber, either in person or by proxy, may cast one vote for each share so subscribed.

Meetings of
stockholders.

§ 6. When the said sum of five thousand dollars (\$5,000) shall have been so subscribed to the capital stock of said company, and forty per cent. paid in, the said corporators, or a majority of them, shall forthwith give notice by publication in some newspaper published in the cities of Wilmington and Joliet to the subscribers to the said capital stock, to meet at such time and place as they may in said

notice designate, to organize said company, as provided in section five of this act. And the said president and directors, when elected, shall have power to appoint a secretary, [and] treasurer, as they may deem necessary, and shall define their duties and powers, and make such by-laws, rules and regulations, as they may deem necessary for the government and management of the business affairs of said company and its officers and agents, not inconsistent or repugnant to the constitution of the state of Illinois and of the United States. An election shall be held annually for president and directors of said company, at the office of said company, upon such notice as the president and directors may prescribe. The office of said company shall be at Wilmington.

Appointments
of officers.

Annual elec-
tions.

§ 7. The president and directors shall issue certificates of stock to the owners thereof, which shall be signed by the president and countersigned by the secretary, whenever the same shall be fully paid for; which certificates shall be registered in a book kept for that purpose. Said certificates shall be transferable and assignable in such manner as the president and directors shall, by their by-laws, prescribe.

Certificates of
stock.

§ 8. It shall be lawful for the president and directors to borrow money, not exceeding the amount of stock actually paid in, on such terms and conditions as they may deem expedient, and to issue bonds for the same, secured by mortgage on the real and personal property of said company, or otherwise.

Indebtedness.

§ 9. It shall be lawful for the president and directors to require payment of the sums subscribed to the capital stock at such times, in such proportions, and on such conditions as they shall determine, under the penalty of forfeiting 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 made and the amount required, at least sixty days previous to the payment of the same, in some newspaper published in the cities of Wilmington or Joliet; and if any subscriber to the stock of said company shall fail to meet any such call within the time prescribed by the president and directors, he, she or they shall not be entitled to vote for president and directors at any annual election, unless otherwise ordered by the president and directors of said company.

Payment of
stock.

§ 10. This act shall be a public act, and take effect from and after its passage.

APPROVED March 6, 1867.

In force March
5, 1867.

AN ACT to incorporate the Bullion Mining Company.

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| Corporators. | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Watson B. Rockwell, William H. Cleaver, Patrick H. Pope, Joseph B. Cleaver, and their associates and successors, are hereby created a body politic and corporate, by the name and style |
| Name and style Purpose. | of "Bullion Mining Company," with perpetual succession, for the purpose of mining and exploring for gold, silver, quicksilver, lead and all other minerals or metals and all kinds of ores, and of crushing, reducing and extracting all kinds of metals from their respective ores; and, by that |
| Corporate powers. | name and style, shall have power to contract and be contracted with, to sue and be sued, to plead and be impleaded, to appear, to prosecute and defend, in all courts of law or of equity, in all suits and actions; to have and to use a common seal, with the privilege of altering the same at pleasure; to establish, alter or change all by-laws necessary for the government of the company; to borrow money; purchase, hold, sell, mortgage, transfer and convey real and personal estate or property; to make, erect or construct shafts, wells, tunnels, pits, raceways, roadways, furnaces, forges, mills, buildings and other works necessary for carrying on their operations, in Colorado, Idaho, Montana and elsewhere; to purchase, hold, sell and convey mining rights and privileges; to mine, explore and search for gold, silver, quicksilver, copper, lead and other metals, minerals and ores, in Colorado, Idaho, Montana and elsewhere; and to transport the products of their mines and works and to enjoy all the privileges incident to corporations created for mining purposes; and possess all the rights, powers and immunities necessary to execute and carry on a mining business, in Colorado, Idaho, Montana, and elsewhere. |
| Business and operations. | § 2. The capital stock of said company shall be not less than one hundred thousand dollars, and may be increased, by a vote of the stockholders to any sum not exceeding one million of dollars. Said company shall have power to fix the amount of each share of the capital stock, and to take real and personal property, or either in payment of subscriptions to its stock, at such prices as said company may determine. |
| Capital stock. | § 3. Said company shall have power to create, issue and dispose of such number of shares of the stock of said company, not exceeding in the aggregate one million of dollars, at the representative value thereof, as may be ordered by a vote of the company; to determine the par value of such shares, and to pay the stock of the company for such mining rights and interests in mining property and for such real and personal estate as it may be deemed necessary or expedient to purchase for the operations of the company. |
| Disposal of shares. | |
| Payment of stock. | |

§ 4. The business of said company shall be transacted by a board of directors and such other officers and agents as said board of directors shall appoint. The board of directors shall consist of not less than three nor more than seven of the stockholders of said company; and said board shall be elected each year by the stockholders of said company. In all such elections each share shall be entitled to one vote; and voting at such elections may be done either in person or by written proxy. Said board of directors and all officers and agents appointed by them shall continue to occupy their respective positions until their successors shall have been properly qualified to supersede them. A majority of said board of directors shall constitute a quorum for the transaction of business.

Officers.
Directors.
Election of directors.
Vote of stockholders.
Officers, etc., to remain in office
Quorum.

§ 5. The persons named in the first section of this act shall constitute the first board of directors, and shall hold their offices till the first Monday in January next succeeding the date of this act and until their successors are elected; and on the first Monday in January in each year thereafter an election of directors shall be held in the city of Cairo, at such time and place as the existing board of directors may prescribe.

First board.
Term of office.
Election of directors.

§ 6. The board of directors shall have power, subject to the control of the company, to make, ordain and establish such rules, regulations and by-laws as may be deemed expedient and necessary to fulfill the purposes and carry into effect the provisions of this act and for the well ordering, securing and regulating the affairs, business and interests of the company, not inconsistent with the laws of this state or states, territory or territories in which the company may be operating and, not inconsistent with the laws of the United States.

Rules and regulations.

§ 7. This act shall take effect and be in force from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Fairview Lead Mining and Smelting Company. In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George H. Rea, Jonathan O. Pierce, William M. McPherson, Joseph C. Barlow, Hugh M. Thompson, John R. Shepley and William H. Wild, their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Fairview Lead Mining and Smelting Company," for the term of fifty years, with the power to contract and be contracted with; sue and be sued in that name in all courts and places; to have a common seal and change the same at pleasure; to engage in

Corporate name and powers.

the mining, smelting, manufacture, sale and transportation of lead, iron, coal and other minerals and products of their lands. The said company may receive, purchase, hold, sell and transfer any real or personal property, mining rights, and right of way, for the purpose of mining and preparing for sale and transportation of minerals and other products of their mines or lands, as may be deemed necessary by them to the successful prosecution of their business and the execution of the powers herein granted; and may have, hold and receive real estate and personal property in payment of their capital stock. And said company shall have power to employ such agents and define their powers, and to make such by-laws, rules and regulations, and alter the same as they shall deem necessary for the government of said company, not inconsistent with the constitution and laws of this state or of the United States. And the board of directors of said company shall have power to fill any vacancy created by the death, resignation or removal of any of their number, until the next election of directors after such vacancy shall have arisen. The capital stock of said company shall be five hundred thousand dollars, with power in said company to increase or diminish the same, and the same shall be divided into convenient shares, under the vote of the stockholders of said company. And the holder of stock in said company shall, by himself or proxy, be entitled to cast one vote for each share so held by him; and all elections held by said company for directors and the affairs of said company shall be managed by the board of directors. The president and other officers shall be elected by the directors; and the majority of the stock represented at any meeting for an election of directors shall be entitled to elect such board of directors. The board of directors of said company shall consist of said corporators above named until the first election by the stockholders for a board of directors; which election shall take place on the first Monday of May, 1868, and on the same day in each year thereafter. The president or vice-president shall sign all certificates of stock of said company, whenever the same shall be issued, which certificates shall be countersigned by the secretary, and shall be assignable and transferable only in such manner and at such places as the stockholders of said company shall, by their by-laws, prescribe. It shall be lawful for the president and directors of said company to borrow any sums of money, and on such terms as they may deem expedient, and to issue bonds or other evidences of indebtedness therefor; and it shall be lawful to secure the same by mortgages on the real or personal property of the company.

Vacancies—
how filled.

Capital stock.

§ 2. This act shall take effect from and after its passage, and shall be deemed a public act, and shall receive a favorable construction in all courts.

APPROVED March 5, 1867.

AN ACT to incorporate the Illinois Excelsior Coal Company.

In force March
5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Will. H. W. Cushman, Benj. F. Shotwell, Joseph B. Barnes, Aaron Barnes and J. M. Day, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body corporate and politic, under the name and style of "The Illinois Excelsior Coal Company," with power to contract and be contracted with, sue and be sued, in all courts of law and equity in this state; to have a corporate seal, and to alter the same at pleasure; to dig, bore, mine and excavate for petroleum, coal, rock or carbon oil, salt or other valuable minerals or volatile substances, and to manufacture, sell and transport the products thereof; and to carry on the cooperage business; and with all other powers necessary and adequate to promote the prosecution of their business. The general office of said company shall be in the city of Ottawa, Illinois.

Corporators.

Name and style

Business
powers.

General office.

§ 2. The said company may receive, lease, buy and hold such real and personal estate, mining and boring rights and rights of way, as may be deemed necessary by them to the successful prosecution of their business.

Possession of
property, real
and personal.

§ 3. The said company may employ and appoint such agents as may be required by them, and define the powers and prescribe the duties of such agents.

Agents.

§ 4. The capital stock of said company shall be fifty thousand dollars, with power to increase the same to any sum not exceeding five hundred thousand dollars, to be subscribed and paid for as the directors of said company may order, and shall be divided into shares of fifty dollars each, which shall be deemed personal property, and shall be transferable on the books of the company, in such manner as its by-laws may prescribe.

Capital stock.

§ 5. The affairs of said company shall be managed by a board of directors, of five persons who shall be stockholders in the same. They shall be elected by the stockholders of the company. The first election shall take place when five thousand dollars of capital stock shall be subscribed; and five of the corporators herein named shall be commissioners to open books for the subscription of stock. The money so received by the commissioners shall be paid over to the directors, when elected. The directors shall be elected annually, and shall hold their office until their successors are elected and organized. They shall elect from their own body a president, who shall perform such services and have such powers as shall be conferred on him by the by-laws of said company. Any vacancy in the board may be filled by a majority of the directors, and, in the absence of the presi-

Management
and affairs.

By-laws, etc.

dent, a president *pro tem.* shall be elected. The board of directors shall make and execute such by-laws as may be necessary for the prosecution of the business of the company, not inconsistent with this act or with the laws of the land; and all the acts of the duly appointed officers and agents of the company done and performed under authority of the by-laws, shall be binding on the company.

Place of office. § 6. After the election of directors, as aforesaid, the company may commence its business in the full enjoyment of the privileges of this act at such place or places in this state as the directors may designate.

Loans. § 7. The said company is and shall be permitted to negotiate a loan or loans of money, at such interest as they may deem proper, and pledge all of their property, real and personal, and all their rights, credits and franchises for the payment of the same.

Prosecution of work. § 8. The said company shall, without unnecessary delay, prosecute the work for which it is hereby created.

§ 9. This act shall take effect and be in force from and after its passage.

APPROVED March 5, 1867.

In force March 5, 1867. AN ACT to incorporate the Galena City Mining and Smelting Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* E. W. Banker, Samuel Green, Charles H. Watermann, E. D. Cogswell and George G. Bellows, and their associates and successors, are created a body politic and corporate, under the name and style of "The Galena City Mining and Smelting Company;" and, by that name shall have succession, may sue and be sued, implead and be impleaded, in any court of law or equity; receive and hold property and effects, real and personal, by gift, devise or purchase, and dispose of the same by lease, sale, or otherwise; and they and their successors shall have a common seal, and may alter and change the same at their discretion.

Object. § 2. The object for which said company is formed is mining and smelting purposes, in the state of Illinois, and the disposal of ore, lead or other minerals, mined or smelted by them. The amount of capital stock of said company shall be three millions of dollars. The number of shares of which said stock shall consist shall be thirty thousand.

Capital stock. Number of shares. Directors § 3. The number of directors of said company shall be seven, who shall be elected annually, by the stockholders of said company, from the stockholders. The time and place of such election to be fixed by the directors; and a

written or printed notice shall be sent by the secretary of said company, through the post-office, of the time and place of such election, one fortnight prior thereto, to each and every person whose name shall appear at that time as stockholders on the books of said company. The first election of directors shall be called by the corporators herein, or a majority of them, by sending, through the post-office, written or printed notices to the stockholders of the time and place of such election, at least one week prior thereto.

§ 4. The officers of said corporation shall consist of a president, vice president, treasurer and secretary; all of whom shall be elected by the board of directors, and all of whom shall be stockholders in said company, and hold their office for one year. The directors shall fix the compensation of said officers and prescribe their duties. At any meeting of the stockholders, each share of stock shall entitle the holder thereof to one vote, and may be cast in person or by proxy, in writing, duly acknowledged. But in order to entitle any person voting by proxy to vote, said proxy shall be filed with the secretary of said company.

Officers.

Compensation of officers.

Share vote.

§ 5. At all meetings of the stockholders for the election of directors, or for any other purpose, the persons having a majority of the votes cast by the stockholders who may be present or represented by proxy, shall be deemed elected such directors, or any measure properly before said meeting having a majority of such votes shall be deemed adopted.

Majorities.

§ 6. The directors shall have power to make all by-laws for the government of this company, not inconsistent or conflicting with the laws of this state. Any vacancy in the board of directors, by death, resignation or otherwise, may be filled for the remainder of the term by the remaining directors.

By-laws, etc.

Vacancies.

§ 7. Once in each and every six months the directors of said company shall cause a statement to be made and published of the assets, receipts and expenditures of said company, which shall be sworn to and subscribed by the treasurer of said company before any notary public, justice of the peace, judge or clerk of any court of record, and such statement shall be published in any one of the daily papers of Chicago, and one in Galena.

Statements.

§ 8. Any treasurer who shall willfully subscribe and make oath to any false statement of the affairs of said company, shall be deemed guilty of a misdemeanor, and be punished by fine or imprisonment, or both, in the discretion of the court; said fine not to exceed one hundred dollars, nor said imprisonment to be for more than thirty days in the county jail.

Penalties.

§ 9. The principal office of said company shall be at the city of Chicago, in the state of Illinois. The corporators named in this act, or a majority of them, may, upon giving three days' notice in any daily paper published in Chicago,

Principal office.

Stock subscrip- open books for subscription to the stock of said company;
tion. and whenever there shall be one hundred thousand dollars
subscribed to the stock of said company, an election of direc-
Organization. tors may be called by the corporators, as before provided,
and an organization perfected. Unless the said company
shall organize within two years from the passage hereof,
this act shall be void.

§ 10. This act shall be deemed a public act, and shall
take effect from the time of its passage.

APPROVED March 5, 1867.

In force March
4, 1867.

AN ACT to incorporate the Lake County Peat Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Philander Stewart, D. W. Dame and Robert Harrison, and all such
Corporators. persons as shall hereafter become stockholders in the com-
pany hereby incorporated, shall be a body politic and cor-
Name and style porate, by the name and style of "The Lake County Peat
Company;" and, under that name and style, shall be capa-
ble of suing and being sued, impleading and being im-
Corporate pow- pleaded, defending and being defended against, in law and
ers. equity, in all courts and places whatsoever, in like man-
ner and as fully as natural persons; may make and use a
common seal and alter and renew the same at pleasure;
and, by their corporate name and style, shall be capable in
law of contracting and being contracted with; shall be and
are hereby invested with all the powers, privileges, im-
munities and franchises, and of acquiring, by purchase or
otherwise, and of holding or conveying real and personal
estate, which may be needful to carry into effect fully the
purposes and objects of this act.

Possession of
real estate, etc.

§ 2. The said corporation is hereby authorized and em-
powered to purchase and hold real estate, for the purpose
of mining therein for peat, and to do a general peat min-
ing business; to manufacture machinery and implements
necessary to the effectual carrying on of said peat min-
ing, and to manufacture peat cars in sufficient numbers and
of sufficient capacity for the use of said company in the
transportation of the products of its mines to markets.

Business
powers.

§ 3. The said corporation is hereby authorized and em-
powered to construct, maintain and operate a railway, for
the transportation of peat mined by said company, with one
or more side-tracks or lines of rails, with all convenient
turnouts, side-tracks and appendages, from any and all peat
mines owned by said company, in the county of Lake, to

Waukegan, in said county, or to any point on the Northern Railway Company's lines, within said county of Lake, in the state of Illinois.

§ 4. To enable the said corporation to construct the railway herein authorized and its appendages, the said corporation is hereby vested with power to take and apply private property for the purposes and in the manner prescribed in an act entitled "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, 1852, and the several acts amendatory thereof, and may exercise all the powers conferred upon railroad corporations by the 25th and 26th sections of "An act to provide a general system of railroad incorporations," approved November 5, 1849, ascertaining and making recompense for all damages sustained agreeably to the provisions of the act hereinbefore first named and mentioned. Appropriation.

§ 5. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same to any sum not exceeding one million dollars, by a vote of a majority in interest of the paid stock at the date of such vote, which shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and transferable on the books of the company, only under such regulations as may be adopted by the company. Capital stock.

§ 6. Said corporation shall have power to mortgage its property, both real and personal, and to issue bonds, secured by such mortgage or mortgages, bearing such rate of interest, not exceeding ten per cent. per annum, as said board of directors shall elect. Mortgages.

§ 7. Books of subscription may be opened, under the direction of the board of directors, as hereby constituted, and when the amount of capital stock, as provided in the foregoing section, shall have been subscribed and ten per cent. thereof actually paid in cash, the said board of directors may declare the company organized. Subscription to stock.

§ 8. All corporate powers of said company shall be vested in and exercised by a board of directors and such officers and agents as they shall appoint. The board of directors shall consist of not less than three nor more than five stockholders, who shall be chosen every year by the stockholders, each share having one vote, to be given in person or by proxy; such directors to continue in office until their successors are elected and qualified. A majority of the board shall constitute a quorum for the transaction of business. Directors.

§ 9. The persons named in the first section of this act shall constitute the first board of directors, and shall hold their offices until the first Monday in June next succeeding the organization of the company and until their successors are elected; and on the first Monday in June, in each year, during the continuance of said corporation, an election of Elections.

directors thereof shall be held in the city of Waukegan, Lake county, Illinois, at such time and place as the existing board of directors may prescribe.

By-laws, etc.

§ 10. The said company shall have power to make, ordain and establish all such by-laws, rules and regulations as may be deemed expedient and necessary to fulfill the purposes and carry into effect the provisions of this act and for the well ordering, regulating and securing the affairs, business and interest of the company: *Provided*, that the same be not repugnant to the constitution and laws of the United States or of this state or repugnant to this act.

Proviso.

§ 11. This act shall take effect and be in force from and after its passage.

APPROVED March 4, 1867.

In force March 5, 1867. AN ACT to incorporate the Colorado Mining and Prospecting Company, of Chicago.

Corporators.

Corporate name and powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Walter Kimball, Warwick Martin, Christopher W. Knott, Gustavus E. Buschick, Elam L. Knott, Otto Jerne and Orpheus S. Poston, and their associates and successors, are hereby constituted a body politic and corporate, by the name and style of "The Colorado Mining and Prospecting Company, of Chicago," with perpetual succession, for the purpose of mining and prospecting for gold, silver and other metals, ores and minerals, locating and securing (for the purpose of development or sale) lodes of gold and silver bearing quartz, in the territory of Colorado, or elsewhere; and, by that name and style, have power to contract and be contracted with, to sue and be sued, plead and be impleaded, appear, prosecute and defend in any and all courts of law or equity in all suits and actions; have and use a common seal, with the privilege to alter the same at pleasure; establish, alter or change any by-laws for the government of the company; and may borrow money, purchase, hold, sell, mortgage, transfer or convey any real or personal estate or property; may make, erect or construct any mills, buildings, shafts, tunnels, races, roads, forges, furnaces, dykes and all other works necessary for carrying on their operations in Colorado, or elsewhere; hold and enjoy mining rights and property; mine and work for gold, silver and other metals, ores and minerals, in Colorado and elsewhere; and transport the products of their said mining and work; and to have and enjoy all the privileges and rights and immunities

incidental to corporations necessary to execute and carry on such business in Colorado and elsewhere. The general office of said company shall be in Chicago.

§ 2. The persons named in this act shall have power to organize, by the selection and appointment of such officers and managers as they may deem necessary, who shall have power, subject to the control and direction of the company, to make regulations and by-laws, from time to time, for the management of their business, not inconsistent with the laws of the state or states and territories where such company may be operating or of the United States. Organization.

§ 3. The capital stock of said company shall not be less than five hundred thousand dollars, (\$500,000), and may be increased to any sum not exceeding two million dollars, (\$2,000,000), by a vote of a majority in interest of the said stockholders. Said company shall have power to fix the amount of each share of the capital stock, and to take real or personal property, or either, in payment of subscriptions to its stock, at such places as they may deem proper and expedient. Capital stock.

§ 4. Said company shall have power to create, dispose of and issue such number of shares of the stock of said company, not exceeding in the aggregate two million dollars, at the representative value, as may be ordered by a vote of the company; to determine the par values of shares; to pay in the stock of the corporation for such money, rights and interests in real estate, as it may be deemed necessary to purchase for the operations of said company. Business powers.

§ 5. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Vermilion River Coal Company.

In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Charles C. P. Holden, George W. Smith, Edward W. Russell, Charles N. Holden and Charles H. Machin, and all persons who shall hereafter become members of the corporation hereby created, shall be a body corporate and politic, by the name and style of "The Vermilion River Coal Company," with all the powers and privileges usually appertaining and belonging to corporations.* Corporators.

§ 2. The objects and purposes of such corporation shall be mining for coal upon the line of Vermilion river, in Corporate name and style.

Object and purposes.

LaSalle and Livingston counties; and it may hold such real estate and personal property as may be necessary for the purposes of the business of such corporation.

Capital stock. § 3. The capital stock of said company shall be one hundred thousand dollars, with liberty to increase the same to five hundred thousand dollars, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and transferable in the manner provided by the by-laws of said company, and shall be paid for in the manner prescribed by such by-laws.

Directors. § 4. All the corporate powers of said company shall be exercised by a board of five directors, who shall hold their office for one year and until their successors shall be elected and qualified. Such board of directors shall have power to make any and all necessary and proper by-laws for the government and regulation of said company, and to appoint such officers and agents as they may deem necessary.

§ 5. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED March 5, 1867.

In force March 6, 1867. AN ACT to incorporate the People's Coal Mining and Transportation Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That Leonard Pratt, J. M. Hutchinson and Thomas W. Newcomer, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name of "The People's Coal Company," with power to contract and be contracted with, sue and be sued, in all courts and places; to have a common seal, and alter the same at pleasure; to engage and carry on the mining of stone or mineral coal, and to transport the same; and to have all the powers and franchises needful for the successful prosecution of the business aforesaid and for the execution of the powers herein granted.

Organization. § 2. The said Leonard Pratt, J. M. Hutchinson and Thomas W. Newcomer shall have power to organize said company, by the election or appointment of a president and such other officers and agents as they may deem necessary; and, when so organized, they and their successors or assigns shall have power to make such by-laws, rules and regulations as they may from time to time deem necessary for the government and management of the business of said company, not inconsistent with the constitution and laws of this state or of the United States.

Officers.

By-laws and regulations.

§ 3. The capital stock of said company shall be five hundred thousand dollars, divided into shares of fifty dollars each, and shall be deemed to be personal property. The president and other proper officer or officers shall issue certificates of stock, under seal, to the holders thereof, which certificates shall be assignable or transferable only in such manner and such places as may be prescribed by the by-laws of said company. Capital stock.

§ 4. The said company may build, buy and own railroad cars and all other property necessary or useful for transporting said coal, and may sell and transfer their property, or any part thereof, and may receive real estate or any other kind of property which may be useful and necessary for the purposes aforesaid in payment of the subscription to the capital stock of said company; and shall have the right to acquire, by purchase or otherwise, such real estate, mining rights, rights of way, and other property, as may be necessary for the successful prosecution of their aforesaid business, and the same, or any portion thereof, to sell or otherwise dispose of, as the interests of the said company may require. Business powers.

§ 5. The said company shall have power to construct and operate such branch railroads and side-tracks, necessary to connect with any other railroads or to carry their coal to the canal or other mode of water communication in the vicinity of the mining of said company, and to build and maintain all necessary depots, stations and other buildings necessary for the proper transaction of their business: *Provided*, none of said branch railroads, shall exceed thirty miles in length. Business and affairs.

§ 6. The principal office of said company shall be at Tiskilwa, the mines of said company, unless otherwise determined upon by the board of directors of said company. Principal office.

§ 7. It shall be lawful for the president and managers of said company, from time to time, to borrow or obtain on loan such sum or sums of money, on such terms as they may deem expedient, for the use of said company, under such restrictions and limitations as shall be prescribed by the by-laws of said company, and may pledge or mortgage all or any part of the estate, improvements, privileges, franchises and assets of said company for the payment of such loan or loans, with the interest thereon: *Provided*, that the rate of interest on such loan or loans shall not exceed the rate of ten per centum per annum. Indebtedness.

§ 8. This company shall have and possess all the rights, privileges, powers and franchises conferred upon and be subject to all the liabilities and restrictions imposed upon railroads formed under the act entitled "An act to provide for a general system of railroad incorporations;" passed November 5th 1849, and commencing at and including herein all the provisions of said act, including section twen- Rights and privileges.

ty-one, and all intermediate sections of said act upon, to and including herein the forty-second section of said act; and the same are hereby made a part of this act—to have the same force and effect as if the same was recited and incorporated herein: *Provided*, that this company shall be [subject] to the provisions of all general laws which may be passed, regulating tariff rates, and which shall be applicable to the business of this company and as applied to all other railroad corporations incorporated by this state: *And, provided, also*, that it shall not be necessary to present a petition to the legislature of this state or to obtain an enabling act, as provided for in section twenty-second of said act—the construction of said proposed branch roads being hereby declared to be of sufficient utility to entitle said company to the benefit of all the provisions of said act herein recited or included and not herein expressly excepted.

Proviso.

Witnesses.

§ 9. Stockholders and officers in said company may be witnesses for or against said company in all suits at law or in equity where the said company may be a party.

§ 10. This act to be deemed and taken as a public act, and to be in force from and after its passage.

APPROVED March 6, 1867.

In force March
9, 1867.

AN ACT to incorporate the Virginia Oil and Mining Company.

Corporators.

Corporate name
and powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That J. K. Van Demark, John M. Epler, Samuel Petefish, Ignacious Skyles and Ambrose Burachar, and their associates, successors and assigns, are hereby created a body politic and corporate, under and by the name and style of "The Virginia Oil and Mining Company," with perpetual succession; and, by that name and style, 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 all courts of law and equity of this state, or elsewhere; to make, have and use a common seal, and alter the same at pleasure; and, by that name and style, shall be capable in law of taking, holding, purchasing, leasing, selling and conveying estate, real, personal and mixed, so far as the same may be necessary for the purposes hereinafter mentioned, and not further; and shall be and are hereby vested with all the powers, privileges and immunities which may be necessary to carry into effect the object and purpose of this act.

Business
powers.

§ 2. The said company hereby incorporated shall have power to erect shops, fixtures, steam engines, horse powers, and every thing that may be necessary for boring or digging

for oil, coal or other mineral, in the county of Cass, and for refining crude oil.

§ 3. The capital stock of said company shall consist of ^{Capital stock.} five hundred thousand dollars, to be divided into one hundred dollars' share; and the holder of each share shall be entitled to vote, either in person or by proxy.

§ 4. That for the purpose of carrying into effect the ^{Directors.} object of this corporation, the above named persons shall constitute a board of directors, and shall hold their office for one year after the passage of this act and until their ^{Term of office.} successors in office. Said board of directors shall have power to appoint one of their number president; to appoint all necessary clerks, and one secretary, civil engineer, and to have all necessary land to carry on the business of the company.

§ 5. The president and board of directors shall have ^{Rules, etc.} power to make such rules and regulations, not inconsistent with the laws of this state, which may be necessary for the payment and collection of subscriptions and the payment of labor done, material furnished, and to declare what dividend has accrued on each share.

§ 6. Said company, through their engineer or agent, shall have power to pass over and through land not owned by the company, for the purpose of making the necessary ^{Observations and examination.} observation, and to examine the soil either for oil or mineral substances.

§ 7. Said company shall have the power of holding real ^{Possession of real estate.} estate, by gift or purchase, either in fee simple or for any term of years, for the purpose of carrying into effect the object of this corporation.

§ 8. This shall be deemed a public act, and shall be in force from and after its passage.

APPROVED March 9, 1867.

AN ACT to incorporate the Fox River Valley Coal and Mining Company, In force March 8, 1867.
of Ottawa, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Benjamin F. Shotwell, Silas W. Cheever, Joseph B. Barnes, Aaron Barnes, Edward M. Drew, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, under the name and style of "The Fox River ^{Corporators.} Valley Coal and Mining Company," of Ottawa, Illinois, with power to contract and be contracted with, sue and be sued, in all courts of law and equity, in this state; to have

^{Name and style}

- Powers. a corporate seal, and to alter the same at pleasure; to dig, bore, mine and excavate for petroleum, coal, rock, or carbon oil, salt or other valuable minerals or volatile substances, and manufacture, sell and transport the products thereof, and to carry on the coöperage business; and with all other power necessary and adequate to promote the prosecution of their business. The general office of said company shall be in the city of Ottawa, Illinois.
- Management of affairs. § 2. The said company may receive, lease, buy and hold such real and personal estate, mining and boring rights, and rights of way as may be deemed necessary by them to the successful prosecution of their business.
- Agents. § 3. The said company may employ and appoint such agents as may be required by them, and define the powers and prescribe the duties of such agents.
- Capital stock. § 4. The capital stock of said company shall be fifty thousand dollars, with power to increase the same to any sum not exceeding five hundred thousand dollars, to be subscribed and paid for as the directors of said company may order, and shall be divided into shares of fifty dollars each, which shall be deemed personal property, and shall be transferable on the books of said company, in such manner as its by-laws may prescribe.
- Management of affairs. § 5. The affairs of said company shall be managed by a board of directors of five persons, who shall be stockholders in the same. They shall be elected by the stockholders of the company. The first election shall take place when five thousand dollars of capital stock shall be subscribed, and five of the corporators herein named shall be commissioners to open books for the subscriptions of stock. The money so received by the commissioners shall be paid over to the directors, when elected. The directors shall be elected annually, and shall hold their office until their successors are elected and organized. They shall elect from their own body a president, who shall perform such services, and have such powers as shall be conferred on him by the by-laws of said company. Any vacancy in the board may be filled by a majority of the directors, and in the absence of the president, a president *pro tem.* shall be elected. The board of directors shall make and execute such by-laws as may be necessary for the prosecution of the business of the company, not inconsistent with this act, or with the laws of the land; and all the acts of the duly appointed officers and agents of the company, done and performed under the authority of the by-laws, shall be binding on the company.
- Commencement of business. § 6. After the election of directors, as aforesaid, the company may commence its business in the full enjoyment of the privileges of this act, and at such place or places in the state as the directors may designate.

§ 7. The said company is and shall be permitted to negotiate a loan or loans of money, at such interest as they may deem proper, and pledge all of their property, real and personal, and all their rights, credits and franchises, for the payment of the same. Loans.

§ 8. The said company shall, without unnecessary delay, prosecute the work for which it is hereby created. Prosecution of work.

§ 9. This act shall take effect and be in force from its passage.

APPROVED March 8, 1867.

AN ACT to incorporate the Illinois Nevada Silver Mining Company.

In force March 6, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Elias C. Brearly, A. E. Shannon, Geo. H. Harlow, Robert G. Ingersoll, Newton Bateman, Sharon Tyndale, James H. Beveridge, William D. Craywell, John M. Snyder, John P. Reynolds, and their associates and successors, are hereby constituted a body politic and corporate, by the name and style of "The Illinois Nevada Silver Mining Company," with perpetual succession, for the purposes of mining and exploring for silver, gold and other metals, ores and minerals; and, by that name and style, with power to contract and be contracted with, to sue and be sued, plead and be impleaded, appear, prosecute and defend, in any and all courts of law or equity, in all suits and actions; have and use a common seal, with the privilege to alter the same at pleasure; establish, alter or change any by-laws for the government of the company; and may borrow money, purchase, hold, sell, mortgage, transfer and convey any real or personal estate or property; may make, erect or construct shafts, pits, races, roads, furnaces, forges, mills, buildings and all other works necessary for carrying on their operations in Nevada and elsewhere, holding mining rights, to mine and work for silver, gold and other metals, minerals and ores in Nevada and elsewhere, and transport the products of their mining and work; and shall enjoy all the privileges incident to corporations for such purposes, and possess all the rights, powers and immunities necessary to execute and carry on such business in Nevada and elsewhere. Corporators.
Name and style
Purpose.
Powers, etc.,

§ 2. The persons named in this act shall have power to organize said company, by the selection and appointment of such officers or managers as they may deem necessary, who shall have power, subject to the control and direction of the company, to make regulations and by-laws, from Organization.

time to time, for management of their business, not inconsistent with the laws of the state or states where such company may be operating or of the United States.

Capital stock.

§ 3. The capital stock of said company shall not be less than five thousand dollars, and may be increased to any sum not exceeding one million dollars. Said company shall have power to fix the amount of each share of the capital stock, and to take real and personal [property], or either, in payment on subscription to its stock, at such prices as they may think proper and expedient.

§ 4. Said company shall have power to create, dispose of and issue such number of shares of the stock of said company, not exceeding in the aggregate one million of dollars, at the representative value thereof, as may be ordered by a vote of the company; to determine the par value of shares; to pay the stock of the corporation for such mining rights and interests in real estate, as may be deemed necessary to purchase for the operations of the company.

Principal office.

§ 5. The principal office of said corporation shall be in the city of Springfield, state of Illinois, but branch offices may be established at such places and in such states as may be deemed advisable by the officers of the corporation.

§ 6. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 6, 1867.

In force March
6, 1867.

AN ACT to incorporate the Junction Coal Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Jacob G. Loose, Isham N. Haynie, John W. Priest, Junius D. Crabb, Norman M. Broadwell, John A. McClernand, and their successors and assigns, be and they are hereby created a body corporate, under the name and style of "The Junction Coal Company," with perpetual succession. And said company or corporation shall be liable to be sued, and shall have the capacity to sue in all matters, the same as a natural person, and shall have the right to make, keep and use a common seal, and power to mine, dig, or otherwise obtain coal, by any process or mode they may deem advisable, at the junction of the Toledo, Wabash and Western Railroad and the Chicago, Alton and St. Louis Railroad, or at any other place or places in the county of Sangamon, state of Illinois, and sell and transport the same to home or foreign markets.

Corporators.

Name and style

Powers.

Organization.

§ 2. Said corporators, or their assigns, shall organize said company within one year from the passage of this act,

by selecting one of their number president, one vice president, one secretary, and one treasurer, which said officers, so selected, shall constitute the first board of directors, whose duty it shall be to manage the affairs and transact the business of said company for the period of one year, from said organization; to receive subscriptions to the capital stock of said company, issue certificates therefor, collect moneys due said company, and to do all things necessary to effectually carry on the business of said company.

§ 3. Said company shall have the power to purchase and hold all such real and personal estate, not exceeding in value five hundred thousand dollars, as the directors may deem necessary to the prosecution of said coal business or any business herein provided for, and the power to sell and convey the same, or any part thereof, whenever the directors shall think proper. Possession of real estate.

§ 4. The capital stock of said company shall not exceed one million of dollars, and may be divided into shares of any size by the directors of said company; and the board of directors hereby provided for shall have the power, by by-laws, to regulate and prescribe the mode in which the affairs and business shall be conducted; to provide the mode by which the successors and assigns of said corporators shall be invested with the franchises and powers hereby conferred upon said corporators and the creation of succeeding boards of directors. Capital stock.

§ 5. The said company shall have power to build, construct and operate macadamized, plank or rail roads, from any of their mines, collieries, or coal depots, in said county, to any part of said county, and to connect their said roads with or cross any railroad or thoroughfare in said county; and the right of way for any such road or roads may be obtained by said company, either by purchase, gift or grant, or in the mode prescribed by an act entitled "An act to amend the law condemning the right of way for purposes of internal improvements," approved June 22, 1852, and shall have the right to use and operate such roads in such manner as the said company may think proper. Business and operations.

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

APPROVED March 6, 1867.

AN ACT to incorporate the Illinois and Montana Mining Company.

In force March 9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John R. Dickinson, E. W. Hazard, E. L. Smith, Henry Parker,* Corporators.

Joseph Blanchard, E. L. Knott, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, under the name and style of "Illinois and Montana Mining Company;" and, by that title, shall be and are hereby made capable in law and equity to sue and be sued, to plead and be impleaded, defend and be defended, in any court or place whatever. The principal office of said company shall be in the city of Chicago, Illinois.

Powers.

§ 2. The said corporation may have and use a common seal, with the privilege to alter or renew the same at pleasure; and are hereby vested with power to purchase, hold, mortgage, sell and convey real and personal estate; to make contracts, give and receive promissory notes; to make, alter and revoke by-laws for the government of the company; may make, erect and construct shafts, pits, races, roads, furnaces, forges, mills, buildings, and all other works necessary for carrying on their operations in the mining of gold, silver, copper, lead or any other kind of ore or metal; and shall enjoy all the privileges incident to corporations for such purposes, and possess all the rights, powers and immunities necessary to execute and carry on the business of mining.

Capital stock.

§ 3. The capital stock of said company shall not be less than twenty thousand dollars, and may be increased to one million of dollars, and shall be divided into shares of one hundred dollars each; and in the election of directors or other officers, and in all other matters or interests, directed by the stockholders, under the by-laws of said corporation, each proprietor or stockholder to have as many votes as he holds shares, and have power to vote by proxy.

Organization.

§ 4. The persons named in this act shall have power to organize the said company, by the appointment of such officers or managers as they or a majority of them shall deem necessary, who shall have power to make by-laws, from time to time, for the management of their business, not inconsistent with the laws of this state or the United States.

Borrow money.

§ 5. The said company shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgages or other security.

Subscription to stock.

§ 6. As soon as the corporators herein have organized, by the appointment of their officers and managers, and by-laws have been made and adopted for the government of said company, those constituting the board of directors or managers of said company, or a majority of their number, may proceed to open books of subscription to the stock of said company, and may determine and fix rates of assessment upon the shares of stock subscribed and the time when said assessments shall be paid; and if not paid at the time so fixed, or within two days thereafter, they may, if

Assessments.

they think proper so declare a forfeiture of the stocks upon which assessments have not been paid; but in no instance shall a forfeiture be declared unless the person owing said stock or the person in whose name said stock stands upon the books has been notified, in writing, by mail or otherwise, of said assessment and the time when it is to be paid, at least ten days before the time of payment. A notice, in writing, sent by mail, to the post office address of such owner shall be deemed sufficient evidence of the fact of notice; but such notice must be mailed at least twenty days before the day of payment of said assessment.

§ 7. There shall be a meeting of the stockholders of said company held annually on the first Tuesday of June, in each year, at the office of said company, in the city of Chicago, at which time and place an election of officers and directors shall be held; but a failure or omission to elect shall in nowise impair or affect the rights and powers of those holding over or the rights or interests of the stockholders or other interests.

Annual meetings of stockholders.

Election of officers.

Failure to elect.

§ 8. The board of directors shall have the right and it shall be their duty to declare dividends out of the earnings of said company whenever there is a surplus accumulation of funds in the treasury of a sum over and above what is necessary to carry forward successfully the business of the company sufficient to enable them to declare a dividend of three per cent. among the stockholders.

Dividends.

This act shall be a public act, and take effect from and after its passage.

APPROVED March 9, 1867.

AN ACT to incorporate the Illinois and Pah Ranagat Silver Mining Company.

In force March 9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William S. Searls, John R. Bullock, of the city of Waukegan, in the county of Lake, and state of Illinois, and their associates, successors and assigns, are hereby created and constituted a body politic and corporate, under and by the name and style of "The Illinois and Pah Ranagat Silver Mining Company," with perpetual succession; with power to contract and be contracted with, by that name to sue and be sued, to have a common seal, and to alter, renew and amend the same at pleasure; to engage in silver and gold mining and in the prospecting for ores containing the precious metals, in the state of Nevada and in Arizona and in Utah, and in working ores containing all of the precious metals, in Ne-

Corporators.

Corporate name and powers.

Business powers and privileges.

vada, Arizona and Utah, by mills, furnaces, machines, shafts, tunnels, pits and other structures for mining and working and extracting the precious metals from all kinds of ores containing the same, and to carry on the same by steam or other power or mode not forbidden by law.

Possession of real estate. § 2. The said company may receive, purchase, locate and hold real estate, lease hold property, chattels, real and personal, mining lodes, mining claims, mining rights, and personal property of every kind, in Nevada, Arizona and Utah, or in any other place, for the purpose of mining and prospecting for mines, as aforesaid, as may be deemed necessary by them to the successful prosecution of their business and the execution of the powers herein guaranteed; and may buy, build and own machinery, buildings and houses, such as they may deem necessary for carrying on their said business; and may sell and convey their said property, or any part thereof, or lease the same, or any part thereof, and receive real estate and personal property in payment for the stock of said company; and shall have power to draw bills of exchange, promissory notes or bonds, in the prosecution of their business, and, for such purposes, are hereby vested with all the rights and powers of other corporations in this state.

Capital stock. § 3. The capital of said company is hereby declared to be six hundred thousand dollars, consisting of claim number five (5) easterly from the discovery claim upon the Illinois lode of silver-bearing mineral, situate in the Pah Ranagat Lake mining district, in the state of Nevada, and such other property, both real and personal, as said company shall from time to time purchase and hold as capital stock; and the owner of stock in said company shall, by himself or by proxy, be entitled to cast one vote for each share owned by him, at all elections held by the company for the election of directors.

Organization. § 4. The corporators named in the first section of this act, or the survivor, in case any should die, are hereby authorized, at such time as they may select, within one year from the passage of this act, to proceed to organize said company, by calling a meeting of the incorporators above named, to be held at the city of Waukegan, in the county of Lake, and state of Illinois, notice of which said meeting shall be published in a public newspaper published in Lake county aforesaid, for thirty days immediately preceding such meeting, at which said meeting, when convened in pursuance of such notice, said incorporators shall proceed to elect three directors for said company for the ensuing year, and by whom the business of said company shall be managed, and who shall serve until their successors shall be duly elected and qualified; and each of said corporators shall be entitled to cast one vote at such election.

§ 5. Said directors, when elected, shall organize by electing one of their number president; and the said president and directors and their successors shall have power to appoint a secretary and treasurer and such other officers and agents as they may deem necessary, and define their powers and duties, and to require of such officers and agents, secretary and treasurer, or either of them, such bond or bonds as they may think fit and proper for the faithful performance of their respective duties, and to make such by-laws, rules and regulations as they may deem necessary for the government and management of the business and its officers and agents, not inconsistent with the constitution of this state and of the United States: *Provided*, that an election shall be held annually, after the organization of the company, for the election of directors of said company, at the office of said company, upon thirty days' notice thereof being given in a public newspaper published in the county where the office of said company may be located, by the president of said company, at which said election all persons owning stock in said company shall be entitled to cast, either in person or by proxy, one vote for each share of stock owned by him at the time of such election.

President.

Officers, agents,
etc.

By-laws.

Proviso.

§ 6. If, from any cause, the annual election of directors shall not be held, the company shall not be dissolved by reason thereof, but such election may be had on any subsequent day, by giving said notice; and, in case said president shall neglect or refuse or from any cause fail to give such notice, then the same may be given by the secretary and any one of the directors thereof, in the same manner as provided in the preceding section hereof. And all acts of the president and directors shall be valid and binding upon the company until their successors shall be duly elected and organized.

Failure to hold
elections.Notice of
election.Acts of officers
valid.

§ 7. The president and directors are hereby authorized to issue certificates of stock in said company, which certificates shall be signed by the president and secretary and attested by the seal of said company, and registered in a book to be kept for that purpose. Said certificates, when issued, shall be transferable and assignable in such manner as the president and directors shall, by their by-laws, prescribe.

Certificates of
stock.

§ 8. It shall be lawful for the president and directors to borrow or obtain on loan any sums of money, not exceeding the sum of three hundred thousand dollars, on such terms and conditions as they may deem expedient and for the best interest of said company, and to issue bonds for the same, secured by mortgage on the real and personal estate of said company, or otherwise.

Loans—bonds.

§ 9. This act shall be and the same is hereby declared to be a public act, and the same shall take effect and be in force from and after its passage.

APPROVED March 9, 1867.

In force Feb'y
28, 1867.

AN ACT to incorporate the Lancaster Coal Company.

Corporators.

Name.

Powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Levi Z. Leiter, Hamilton N. Eldridge, William H. Rand, Frederick W. Tourtellotte, Lester L. Bond, Edwin Judson and Ebenezer Robinson, and their associates, successors and assigns, be and they are hereby treated a body politic and corporate, by the name of "The Lancaster Coal Company," with perpetual succession, and with power by that name, to contract and be contracted with, to sue and be sued; to have a common seal, and the same to renew and alter at pleasure; to take and hold, by purchase lands in this state, for the purpose of mining, coking, transporting, buying and selling mineral coal and its products, fire clay, and other minerals, and in the manufacture of and sale of the products of the land now owned or hereafter to be owned by them, not exceeding one thousand acres; and in the transportation of the same or any of them to home and foreign markets; to hold their meetings, and have all powers needful for the successful prosecution of their business and for the execution of the powers herein granted; and, moreover, to appoint all necessary agents and officers, and to make such by-laws and regulations, for the more thorough organization of said company, and the prosecution of its business within the meaning of this act: *Provided*, said by-laws and regulations are not inconsistent with the laws of this state and of the United states; and, moreover, with power to hold such personal property, and possess and erect such docks, buildings, roadways, steamboats, barges, and machinery, as may be necessary for the purposes of mining, coking, transporting, manufacturing, buying and selling, in pursuance of the powers and privileges of this act. The general office of said company shall be in the city of Chicago.

Capital stock.

§ 2. The capital stock of said company shall be one hundred and fifty thousand dollars, divided into shares of one hundred dollars each, with power, by vote of the stockholders, at a meeting duly called, to increase the said capital stock, at any time, not to exceed five hundred thousand dollars.

§ 3. The said company shall have power and authority to construct a railroad or canal, from any part of the lands owned or hereafter to be owned by said company to the Illinois river, or to any navigable waters in this state, or to any railroad or canal: *Provided, always*, that said railroad or canal shall be constructed and used for the transportation of the coal and the minerals of said company, and for the convenient prosecution of its business, and not for the purpose of general transportation: *And provided, also*, said railroad or canal shall not exceed four miles in length.

Line of road.

Proviso.

§ 4. The subscription for the capital stock of said company shall be made and paid into said company, under the direction of the directors hereinafter named, subject to such rules and regulations as they shall prescribe. The stock shall be considered personal property, and shall be assignable and transferable on the books of said company.

Subscription to stock.

§ 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 may sue for and recover all such subscriptions—notice of the time and place of said payments, when and where such payments are to be made, having previously been given, either by personal service on the subscriber or owner of such stock or by publication for at least ten days in any newspaper published in the city of Chicago, state of Illinois.

§ 6. The concerns of said company shall be managed by its directors, who shall consist of not less than three nor more than seven, who shall be stockholders, and who shall be elected, annually, by the stockholders of said company, at such time and place as the by-laws of such company may prescribe, and who shall hold their office for one year and until others are chosen in their places. That the first election shall be held within one year from the passage of this act. Each stockholder shall be entitled to one vote upon each share of stock held by him or her. Voting shall be by ballot, and may be in person or by proxy. The directors shall, annually, appoint a president from their number, and a secretary and treasurer, and such other officers as they may deem necessary, from among the stockholders, who shall hold their office until others are appointed in their places. The directors may make and ordain such by-laws and regulations as they may deem necessary and proper for the management of the business and for the accomplishment of the purposes of the corporation; they shall issue certificates of stock to the subscribers thereof, whenever the same shall be paid for; which certificates shall be signed by the president or the officer acting as such, and shall be countersigned by the secretary, and shall be assignable or

Directors.

Officers.

transferable only in such manner and at such places as said directors by their by-laws prescribe.

Indebtedness. § 7. It shall be lawful for the president and directors of said company to borrow or obtain on loan or loans, any sums of money, and on such terms as they may deem expedient, for said company; and they may issue notes, or bonds for the same, secured by mortgages or deeds of trust on the real estate, improvements and assets of said company or otherwise.

§ 8. This act shall be a public act, and [be] in force from and after its passage.

APPROVED February 28, 1867.

In force March 5, 1867. AN ACT to incorporate the Sangamon Coal and Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That P. L. Howlett, George H. Locey, Philip A. Hoynes, Daniel Evans and Amos C. Steadman, and their associates, successors and assigns, and all such persons as shall become stockholders in the company hereby created, shall be and are a body corporate and politic, under the name and style of "The Sangamon Coal and Manufacturing Company;" and, by that name, shall have perpetual succession, with the power to contract and be contracted with, to sue and be sued, to plead and be impleaded, in that name, in all courts and places; to have a common seal, and change the same at pleasure; to engage in the mining, sale and transportation of coal, iron, or other materials, and in the manufacture of iron, lime, coal oil, fire brick, coke and other products of lands, now owned or occupied, or hereafter to be owned or occupied by them, and in the transportation of the same, or any of them, to home and foreign markets; and, also, in their discretion, power to establish and engage in the manufacture of cotton and woolen fabrics and in the sale and transportation of the same to home and foreign markets.

Possession of real estate, etc. § 2. The said company may receive, purchase and hold any real estate, mining rights, and right of way, for the purpose of mining, manufacturing and preparing for sale and transportation of coal, iron lime, brick, slate, coal oil, coke, woolen and cotton fabrics, for home and foreign markets as may be deemed necessary by them, to the successful prosecution of their business, and the execution of the powers herein granted; and may build and own boats, railroad cars, trucks, houses and other personal property, for carrying on their business, and may dispose of the same, by sale or otherwise, and may receive

real estate in payment of stock; and shall have power to construct and equip wagon-ways or railways and appurtenances thereto, either above or below ground, from their mines to such points as they may deem expedient, and for such purposes are hereby invested with all needful rights and powers.

§ 3. The above named incorporators, or any one of them, may open books at such time and place in the cities of Chicago and Springfield, in this state, for subscriptions to the capital stock of said company, at such time as they may appoint, not exceeding one year from the date of the passage of this act, by giving five days' notice in one or more of the daily papers published in said cities that such books will be opened to the capital stock of said company, and that they will remain open until the amount of thirty thousand dollars shall be subscribed, when the stockholders will organize the company, by choosing five directors, who shall hold their offices until the first Monday of May next, succeeding the organization of the company, and until their successors are elected and qualified; and on the first Monday of May, in each year, an election shall be held at the office of the said company, to elect five directors, who shall be stockholders, and who shall hold their offices until the next annual election and until their successors are duly elected and qualified.

§ 4. The said directors, when chosen, shall choose a president, who shall also be a stockholder, and shall have power to appoint a secretary and such other officers and agents as they may deem necessary, and shall define their duties; and said board of directors shall have power to fill any vacancy that may occur in their own body—a plurality of votes constituting a choice; and such persons, so elected to fill such vacancy or vacancies, shall hold their office until the next annual election of directors. A majority of the board of directors present at any meeting shall constitute a quorum for the transaction of business.

§ 5. Said company shall have power to make such by-laws, rules and regulations as they may deem necessary for the government and management of said company, not in conflict with the constitution and laws of this state or of the United States.

§ 6. The capital stock of said company shall be five hundred thousand dollars, with power to increase the same to any sum not exceeding one million of dollars, or to diminish the amount of stock at pleasure; said stock to be divided into shares of one hundred dollars each; and the legal owner of said stock in said company shall, by himself, or by proxy, be entitled to cast one vote for each share so held by him at all elections held by said company,

§ 7. Certificates of stock shall be issued by the president of said company, to the holders thereof, whenever the

Stock subscription.

Officers.

Powers.

By-laws.

Capital stock.

Certificates of stock.

same shall be paid for; which certificate shall be countersigned by the secretary, and shall be assignable and transferable only in such manner as the stockholders of said company shall by their by-laws prescribe: *Always providing*, that the amount of stock so issued by the president shall be fixed by the action of the board of directors at a previous meeting.

Indebtedness.

§ 8. It shall be lawful for the president and directors of said company to borrow, or obtain on loan, any sums of money, and on such terms as they may deem expedient, for the purposes of said company, and issue notes or bonds for the same, secured by bond and mortgage on the realty or personalty of the company, or otherwise.

Taxation.

§ 9. The real and personal estate of said company shall be assessed for taxation as other property, but the stock shall be exempt from assessment and taxes.

§ 10. This act shall take effect from and after its passage.
APPROVED February 5, 1867.

In force March 5, 1867. AN ACT entitled an act to incorporate the Peoria and Langdon Coal and Coke Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That W. Bushnell, T. C. Moore, John T. Lindsay and Mathew McReynolds, their associates, successors and assigns, are hereby constituted a body corporate, by the name and style of "The Peoria and Langdon Coal and Coke Company,"* with power to contract and be contracted with, sue and be sued, by that name and style in all the courts of law and equity in this state; and to engage in the business of mining coal and manufacturing coke, and for transporting and selling the same, and to mine coal and manufacture coke upon any lands owned by them in the counties of Peoria, Marshall or LaSalle, and in the transportation of the same to home or foreign markets, and to have all needful powers in the successful prosecution of the powers herein granted.

Corporators.

Name and style.

Powers.

Business.

Privileges, etc.

§ 2. Said company is also empowered to sell all lands owned by them, and to appoint all officers or agents to transact the business of said company, and to make and pass all by-laws, rules and regulations for said company that are not inconsistent with the constitution and laws of this state or the United States, with power to purchase and hold both real and personal property as security, and to erect and maintain such buildings or machinery as may be necessary for the prosecution of said business.

§ 3. And said corporators are empowered to build or construct any side-track, wagon road or railway from their coal banks, to connect with the Chicago, Burlington and Quincy Railroad, the Peoria and Rock Island Railroad, or the Chicago and Rock Island Railroad, for the purpose of shipping and hauling coal or coke from their said banks to any point on said railroads or to any other place or market where they may deem proper, but for no other purpose. The right of way for said roads may be obtained by purchase, gift or grant; and in case they can not be so obtained, they may be obtained in the mode prescribed by an act of the general assembly of the state of Illinois, entitled "An act to amend the law condemning the right of way for the purposes of internal improvement," approved June 22, 1852.

Railway privileges.

§ 4. The capital stock of said company shall be five hundred thousand dollars, divided into shares of one hundred dollars each; and the capital stock of said company may be increased by a vote of the stockholders at any regular meeting; and said shares may be sold or assigned in the manner and mode provided in the by-laws of said corporation.

Capital stock.

§ 5. The board of directors of said corporation shall consist of not less than three nor more than seven, who shall be elected, annually, in the manner and mode provided in the by-laws. Said directors shall select one of their number president of said corporation, who shall hold his office for one year or until his successor is chosen and qualified. They shall have power to choose among the stockholders a treasurer and secretary, who shall hold their offices until removed by the board of directors; and said directors shall compel all officers collecting or receiving money belonging to said corporation to give good and sufficient bonds that they will account to the board of directors for all money in their hands whenever required.

Directors.

Officers, etc.

Bonds.

§ 6. Said corporation may borrow money, and, for that purpose, may issue bonds, not to bear a greater interest than ten per cent. per annum; and said bonds shall be a lien on all the property, both real and personal, belonging to said corporation, from the date of their recording in the county where said property is situated.

Indebtedness.

§ 7. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 5, 1867.

In force Feb'y
23, 1867.

AN ACT to incorporate the Culver Coal Company.

Corporators.

Name.

Powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Glover L. Booth, Charles H. Hapgood and Charles A. Gregory of Cook county, their associates and successors and assigns, are hereby created a body politic and corporate, under the name of "The Culver Coal Company;" and, by that name, shall have perpetual succession, with power to contract and be contracted with, sue and be sued in that name in all courts and places; to have a common seal, and change the same at pleasure; to engage in the mining, sale and in the transportation of coal, iron and other minerals, and in the manufacture of iron, lime, coal oil, fire-brick and other products of lands now or hereafter owned or occupied by them, or them and their associates, successors and assigns, and also to engage, generally, in the transportation of coal and other products, aforesaid, for themselves and for all other persons and corporations, to and from all places, for due compensation, to be fixed and received by said company. Said company shall have the right to make any and all such contracts to and with any person or corporation for the mining and sale and for the transportation of coal and other products, as aforesaid, as may be deemed advisable by said company, and to contract for such preference and for such favorable rights for the transportation of coal, etc., as may be deemed advantageous to said company; and may receive, purchase and hold any real estate, mining rights and rights of way, for the purpose of mining and preparing for sale or for the purpose of transportation of coal, as may be deemed necessary for them to the successful prosecution of their business and the execution of the powers herein granted; and may build and own boats, trucks, houses, wagons, cars and other personal property, for carrying on their business; and may dispose of their property, by sale or otherwise, and may receive real estate in payment of stock; and shall have power to construct railways and appurtenances thereto, either above or below ground, from their mines to such points as they may deem expedient, with power to connect with any internal navigation or railroads, by means of railways, to facilitate the transportation of the products aforesaid to home and foreign markets; and for such purpose are hereby invested with all needful powers and rights. The right of way for said road or roads to be constructed under this act, as also for buildings, landings and other depots, may be obtained by said company, either by purchase, gift or grant, or in the mode prescribed by the general law or laws of Illinois pertaining to condemning the right of way for railroads.

§ 2. The capital stock of said company shall be fifty thousand dollars, with power to increase the same to any sum not exceeding one million of dollars, or to diminish the same, at pleasure—said stock to be divided into shares of one hundred dollars each; and the holder of stock in said company shall, by himself or proxy, be entitled to cast one vote for each share so held by him at all elections held by said company. The directors of said company shall consist of not less than three nor more than seven persons, who shall be elected annually by the stockholders of said company, at such time and place as the by-laws of said company may prescribe; and the directors, when chosen, shall hold their offices until the next annual election, and until their successors are elected and qualified; and a failure to hold any annual election shall not work a forfeiture of any powers or rights under this charter. The said directors, when chosen, shall choose a president, and also have power to appoint a secretary and treasurer, and all such other officers and agents as they may think necessary, and to define their duties; and said board of directors shall have power to fill any vacancy or vacancies that may occur in their own body—a plurality of votes constituting a choice; and such person or persons so elected to fill such vacancy or vacancies, shall hold office until the next election of directors. A majority of the board of directors present at any meeting shall constitute a quorum for the transaction of business. The directors may, from time to time, require the stockholders, respectively, to pay the amount of their subscriptions or the assessments upon their shares, at such times and in such proportions as the directors shall think proper, under the penalty for non-compliance with such requisitions of forfeiture to the company of said shares and all previous payments thereon; and notice of such requisition and the demand for such payment shall be made in the manner prescribed by the by-laws of said company, and non-compliance therewith shall be sufficient to work a forfeiture to the company of the stock of any delinquent subscriber or stockholder, and of all payments thereon. Said company shall have power to make such by-laws, rules and regulations as they may deem necessary for the more thorough organization and for the government of said company, not inconsistent with the constitution and laws of this state or of the United States. The president or other officers of said company shall issue certificates of stock to the stockholders, which certificates shall be countersigned by the secretary, and shall be assignable and transferable only in such manner and on such conditions and at such times and places as the stockholders of said company shall by their by-laws prescribe. It shall be lawful for the president and directors of said company to borrow any sums of money, on such terms as they may deem expedient, for said company,

Capital stock.

Government and affairs.

Indebtedness.

and issue notes or bonds for the same, and may secure the same by mortgage on the real estate or personal property of the company, or otherwise. All the real and personal estate of said company shall be liable to be assessed for taxation as other property is, but the stock shall not be liable to be assessed.

§ 3. This act shall be deemed a public act, and shall be in force from and after its passage.

APPROVED February 23, 1867.

In force Feb'y 23, 1867. AN ACT to incorporate the Union Mining and Prospecting Company, of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Caleb Calkins, Josephus S. Howell, Leonard G. Calkins and Henry C. Ballard, and their associates and successors, are hereby constituted a body politic and corporate, by the name and style of "The Union Mining and Prospecting Company, of Chicago," with perpetual succession, for the purpose of mining and prospecting for gold, silver and other metals, ores and minerals; locating and securing, for the purpose of development or sale, lodes of gold and silver-bearing quartz, in the territory of Colorado; and, by that name and style, have power to contract and be contracted with, to sue and be sued, plead and be impleaded, appear, prosecute and defend, in any and all courts of law or equity, in all suits and actions, and have and use a common seal with the privilege to alter the same at pleasure; establish, alter or change any by-laws for the government of the company; and may borrow money, purchase, hold, sell, mortgage, transfer and convey any real or personal estate or property; may make, erect or construct any mills, buildings, shafts, tunnels, races, roads, forges, furnaces, dikes, and all other works necessary for carrying on their operations in Colorado; hold and enjoy mining rights and property; mine and work for gold, silver and other metals, ores and minerals, in Colorado, and transport the products of their said mining and work; and to have and enjoy all the privileges, rights and immunities incident to corporations for such purposes necessary to execute and carry on such business in Colorado. The general office of said company shall be in the city of Chicago, county of Cook, and state of Illinois.*

§ 2. The persons named in this act shall have power to organize said company, by the selection and appointment of such officers or managers as they may deem necessary, who

shall have power, subject to the control and direction of the company, to make regulations and by-laws, from time to time, for the management of their business, not inconsistent with the laws of the state or states or territories where such company may be operating, or of the United States.

§ 3. The capital stock of said company shall not be less than five hundred thousand dollars, (\$500,000), and may be increased to any sum not exceeding five million dollars, (\$5,000,000), by a vote of the majority in interest of the said stock. Said company shall have power to fix the amount of each share of the capital stock, and to take real or personal property, or either, in payment of subscriptions to its stocks, at such prices as they may deem proper and expedient. Capital stock.

§ 4. Said company shall have power to create, dispose of and issue such number of shares of the stock of said company, not exceeding in the aggregate five million dollars, (\$5,000,000), at the representative value thereof, as may be ordered by a vote of the company; to determine the par value of shares; to pay in the stock of the corporation for such mining rights and interest in real estate, as it may be deemed necessary to purchase for the operations of the company. Disposition of stock.

§ 5. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED February 23, 1867.

AN ACT to incorporate the Gardner Coal Company.

In force February 22, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Aaron K. Stiles, J. F. Benson, Everett F. Dutton, Nelson Laforce,* Corporators.
 their associates and successors, be and hereby are constituted a body corporate and politic, under the name and style of "The Gardner Coal Company," with perpetual succession, and with power, by that name, to contract and be contracted with, sue and be sued; to have a common seal; to take and hold, by grant, donation, purchase or lease, lands or personal property, in the village of Gardner or elsewhere, for the purpose of mining or transporting coal; Name and style
 with power to lease, sell and convey the same, or any part thereof; to appoint all necessary agents or officers, and to make such by-laws and regulations for the organization of the company and the transaction of its business as may be necessary, the same not being inconsistent with the laws of the United States or this state. Powers.

Capital stock.

§ 2. The capital stock of this company shall be forty thousand dollars, which may be increased, by vote of the stockholders, to any amount not exceeding one million dollars. The said stock shall be divided into shares of one hundred dollars each, for which stock certificates shall be issued to the stockholders, signed by the president and secretary of the company.

Government of affairs.

§ 3. The incorporators, above named, shall call a meeting of the said corporation at the office of the Gardner Coal Company, in the village of Gardner, by posting up a written notice on the door of said office one week before the time set for said meeting; and at said meeting, provided forty thousand dollars of stock is subscribed, a board of directors shall be chosen from among the stockholders, which board shall consist of not less than three nor more than five, who shall hold their office for one year or until their successors are elected and qualified; they shall appoint from among themselves a president and treasurer, and shall make and adopt all by-laws and regulations for the government of the concerns of the company, and appoint such agents and officers as to them shall seem necessary.

Rights and privileges.

§ 4. The said company shall have the right to purchase all the property, both real and personal, owned by the Gardner Coal Company; and shall have the exclusive and perpetual right to mine under any of the streets, alleys or public parks, in the village of Gardner, that may intersect or adjoin any of the property for which said company may have or may acquire leases for mining purposes: *Provided*, that the same shall in no way conflict with the rights of the public to travel upon said streets or alleys.

Railroads.

§ 5. The company shall have power to construct railroads from their coal mines to any point on the St. L. A. & C. R. R., or to any point in the counties of Grundy, Will or Kan-kakee, and to connect with any internal navigation or railroad therein.

Right of way.

§ 6. The right of way for said road or roads, to be constructed under this act, as also for buildings, landings and depots, may be obtained by said company, either by purchase, gift or grant, or in the mode prescribed by an act of the state of Illinois, entitled "An act to amend the law condemning the right of way for purposes of internal improvements," approved June 22, 1852.

Indebtedness.

§ 7. The said company are hereby authorized to borrow money, upon bonds issued for that purpose, and to secure the same upon any property of the said company, by mortgage or otherwise, which shall be valid liens upon the property of the said company to the extent and for the purposes for which they were executed. The certificates of stock of the said company shall be transferable only in such manner as the company shall by their by-laws prescribe. No stock shall be transferred by any person until all the

debts or demands of the company against such person shall first have been paid and discharged; and for all such debts and demands the company shall have and hold a lien on the stock of such person until the same are fully paid.

§ 8. This act shall be deemed and taken as a public act, and shall be in force from and after its passage.

APPROVED February 22, 1867.

AN ACT entitled an act to incorporate the Commonwealth Mining Company. In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Jesse Spanlding, John J. Simmons and James J. Dull, and their associates, successors and assigns, be and are hereby created a body politic and corporate, by the name and style of "The Commonwealth Mining Company," with perpetual succession, for the purpose of exploring and mining for silver, gold, coal, lead and other metals, ores and minerals; and, by that name, have power to contract and be contracted with; may sue and be sued, plead and be impleaded, appear, prosecute and defend, in any and all courts of law or equity in all suits and actions; may have and use a common seal, with the privilege to alter or renew the same at pleasure; may make such by-laws, rules and regulations as they may deem expedient, from time to time, for the government and management of said corporation and its affairs and the prosecution of its business; and may borrow money, purchase, hold, sell, mortgage, transfer and convey any real or personal estate or property; may erect or construct shafts, pits, races, roads, furnaces, forges, mills, buildings, and all other works necessary for carrying on their operations and business, in this state or elsewhere within the United States; may hold mining rights, claims, pre-emptions, leases, and dig, bore and mine for silver, gold, coal, lead and other metals, ores and minerals, and transport and sell the products of their said mining and work, and their own freight and materials; and construct road-ways, ferries and bridges for such purposes; and shall enjoy all the privileges incident to corporations for such purposes, and possess all the rights, powers and immunities necessary to carry on and execute such business. The general office of said company shall be in the city of Chicago, county of Cook, and state of Illinois.

Corporators.
Name and style
Purpose.
Powers.

§ 2. The capital stock of said company shall be fifty thousand dollars, to be divided into shares of one hundred dollars each; and whenever, in the opinion of the directors

Capital stock.

of said company, it will be for the advantage of said company to increase the said capital stock, it may be increased to such an amount as the said directors may determine: *Provided, however*, that said capital stock shall not be increased at any one time to a greater additional amount than one hundred thousand dollars, without the consent of a majority in interest of all the stockholders thereto. Said capital stock shall be deemed personal property, and be issuable and transferable only on the books of said company in such manner and subject to such restrictions as said board of directors may determine and provide, and shall be payable in such installments and in such manner and kind, whether in real or personal property, or otherwise, and at such times and places, as said board of directors shall provide. And in case any stockholder shall neglect, fail or refuse to pay the installments called for by said board of directors on the shares of the stock held by him, such shares shall be thereby forfeited to said company: *Provided*, that in all cases of installments in said shares of stock being called for after the first payment or installment thereon, ten days' previous notice of such call shall be given to all of the stockholders, in person or by mailing a notice thereof to each of said stockholders, through the post-office, to the last known address of said stockholders; and if such installments, so called for, be not then paid, said company shall have the right and authority to sell or otherwise dispose of such shares as to said board of directors shall seem most expedient, and shall only be liable to account to such delinquent stockholder for the amount in excess over previous payments and subsequent calls which said company received in cash for the stock so sold or disposed of.

Organization.

§ 3. The persons named in the first section of this act shall have power to open books of subscription to said capital stock and superintend the subscribing of the same, and may organize said company, after the subscription of said stock, by the appointment of such officers and managers as they may deem necessary; and may create, ordain and adopt such by-laws for the government and management of the business and affairs of said company as are necessary; which said by-laws shall provide for the election of a board of directors; but nothing shall be contained in such by-laws which shall deprive each stockholder from having and exercising one vote for each share of stock held by him and standing on the books of said company in his name at such election or elections, nor be inconsistent with the laws of the United [States] or the state wherein such company may be working or operating.

Indebtedness.

§ 4. Said company may borrow money and issue bonds, in denominations of not less than one hundred dollars, bearing interest at a rate not exceeding ten per cent. per annum, and sell or otherwise dispose of the same; and may mort-

gage or convey, by deed of trust, all or any of the franchises, real or personal property belonging to the said company, to secure the payment of said borrowed money, or said bonds or any part thereof; and said board of directors may confer the right upon any bondholder of converting said bonds or any of them, into the stock of said company at any time within ten years from the date thereof, subject to the restrictions and regulations which said directors may adopt; and all sales of said bonds shall be as good and valid and as binding upon said company, if made at less than their par or representative value as if made at the full value or representative amount thereof.

§ 5. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED February 23, 1867.

AN ACT to incorporate the Kankakee Stone and Lime Company.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel L. Knight, Solon Knight and Camden Knight, their associates, successors and assigns, be and they are hereby created and constituted a body corporate and politic, under the name and style of "The Kankakee Stone and Lime Company," for the term of fifty years, with power to sue and be sued; to have a common seal, and all the powers, for the purposes hereinafter mentioned; and the home office of said company shall be located at the city of Kankakee.

Corporators.

Name and style

§ 2. The capital stock of said company shall be one hundred thousand dollars, and may be increased, from time to time, at the pleasure of said corporation. It shall be divided into shares of one hundred dollars each, and be issued and transferred in such manner and upon such conditions as the board of directors may direct.

Capital stock.

§ 3. The said corporation, for the purpose of carrying on its operations in the business of quarrying, manufacturing, by machinery, or otherwise, and dealing in stone and lime, is hereby authorized and empowered to purchase lands, erect buildings and kilns thereon; to procure and set up the necessary machinery and fixtures; to hold, mortgage and convey real estate; to construct or purchase canal boats and railroad cars, and to use and sell the same, or employ, charter or hire such boats and railroad cars, in its business; to make and execute contracts, and, generally to do any and all acts necessary for the successful carrying on

Powers.

its business: *Provided*, nothing in this act shall be so construed as to authorize said company to build, own or operate any railroad.

Organization.

§ 4. The persons named in this act shall have power to organize the said company, by the appointment of such officers or managers as they may deem necessary, who shall have power to make by-laws, from time to time, for the management of their business, not inconsistent with the laws of this state or of the United States.

§ 5. This act shall be deemed a public act, and noticed by all courts as such, and shall take effect from and after its passage.

APPROVED February 23, 1867.

In force Feb'y 25, 1867. AN ACT to amend an act entitled "An act to incorporate the Wilmington Coal Mining and Manufacturing Company."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section three of said charter be and the same is hereby amended by striking out the words "the capital stock of said company shall not exceed five hundred thousand dollars, and shall be divided into shares of fifty dollars each," and insert in lieu thereof "the capital stock of said company shall be five hundred thousand dollars, divided into shares of one hundred dollars each, with power, by vote of the stockholders, or a majority of them, in person, by themselves, or by proxies, to increase the amount of said capital stock to any amount not exceeding one million of dollars."

Sec. 3 amended. Capital stock. Sec. 9 amended. § 2. That section nine be and the same is hereby amended so as to strike out the words "townships thirty-three and thirty-two north range nine (9) east of the third principal meridian, to a point on the west bank of the Kankakee river and," and inserting in lieu thereof the following words, "in the counties of Will, Grundy and Kankakee."

§ 3. This act to take effect and be in force from and after its passage.

APPROVED February 25, 1867.

In force Feb'y 23, 1867.

AN ACT giving certain powers to the Peru Coal Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Peru Coal Company shall hereafter have and possess the

same powers, privileges and franchises as have heretofore, by law, been conferred on the Peru Coal Mining Company. Powers, etc.

§ 2. The stockholders in said Peru Coal Company shall also have and possess the same rights, powers and privileges as heretofore conferred by law on the said Peru Coal Mining Company. Rights of stockholders.

§ 3. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED February 23, 1867.

AN ACT to incorporate the Kentucky Coal Company.

In force February 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James Correy, John J Page, E. F. Bull and David L. Hough, and their associates, heirs, successors and assigns, be and they are hereby created a body politic and corporate, by the name and style of "The Kentucky Coal Company," with perpetual succession; and, by that name, shall have power to purchase, hold, occupy, possess, enjoy, control and convey property, both real and personal; with power to use a common seal, which they may alter, amend or renew at pleasure; and, by that name, may sue and be sued, plead and be impleaded, in all courts and places, either at law or in chancery. Corporators.

Name and style.

Corporate powers.

§ 2. The said company shall have the power to mine and raise bituminous or stone coal, at such point in the county of La Salle as they may see proper; and, for that purpose, may open mines, sink shafts, erect buildings and machinery, and may buy and hold such real estate, mining rights and right of way, as they shall deem necessary for the successful prosecution of their business and the execution of the powers herein granted. Business and operations.

§ 3. The said company shall, also, have power to manufacture coke, for the purpose of sale, from any coal that may be mined or raised by them; and, for that purpose, may erect all the necessary buildings, kilns and furnaces. Manufacture of coke, etc.

§ 4. The said company shall have the power to lay out and construct all such wagon-ways and railroads, with the necessary tracks and appurtenances thereto, either above or below the surface, as they shall deem necessary, for the purpose of connecting their land, coal and mining rights with their shafts, mines and manufactories, or to connect any of their said land, shafts, mines or manufactories with the Illinois Central Railroad, the Chicago and Rock Island Railroad, the Illinois and Michigan Canal or the Illinois river, or all of them, at their discretion, neither of such Railway privileges, etc.

sixty feet in width—and, for that purpose, may enter upon any lands or real estate over, through or under which they propose to make or open such wagon-ways or railroads, and make all the necessary surveys therefor: *Provided, however,* that they shall not take any lands other than their own for such purpose without making compensation therefor, and, in case they are unable to agree with the owner or owners of any land they shall desire to use for the purpose of laying out and constructing such wagon-ways or railroads, they shall have power to condemn the right of way, for the purpose aforesaid, in the same manner provided for in “An act to provide for a general system of railroad incorporations,” approved November fifth, one thousand eight hundred and fifty-nine.

Capital stock. § 5. The capital stock of said company shall be five hundred thousand dollars, with power to increase the same to any sum not exceeding one million dollars, at the pleasure of the company, to be divided into shares of one hundred dollars each, and the owners of the stock shall be entitled to cast one vote for each share of stock held by him, at all elections held by said company, which votes may be cast either in person or by proxy, under such regulations as may be prescribed by the directors, or established by the by-laws of said company.

Organization. § 6. Any three of said corporators shall have power to organize said company, open books for the subscription of stocks thereto, at such times and places as they shall deem most appropriate.

Officers chosen. § 7. The affairs of said company shall be managed by a board of directors, consisting of not less than three nor more than seven, to be chosen annually from the stockholders, one of whom shall be elected president of the company by the board of directors. The directors thus chosen shall hold their respective offices for one year and until their successors shall [be] elected by the stockholders. And the said directors shall have power to make all rules, regulations and by-laws deemed necessary by them for the transaction of the business and affairs of said company, prescribe the duties of the president of the company, appoint or provide for the appointment of all such other officers and agents as they think best, defining their duties, with full power to remove the same at pleasure.

Indebtedness. § 8. Said company shall have the power to borrow any sum of money they shall deem necessary, not exceeding the amount of the capital stock thereof—and, for the purpose of securing the same, may mortgage their property, both real and personal, as well as their franchises, or they may, at their election, issue the bonds of said company, with or without coupons, drawing a rate of interest not exceeding ten per cent. per annum, payable annually or semi-annually, pledging the revenue, property and franchises of

wagon-ways or railroads to exceed four miles in length and the company for the payment of such bonds and the interest that may accrue thereon, which may be sold in the market for such sums as they may bring, under such regulations as may be prescribed by the directors.

§ 9. This company shall have, possess and enjoy all the powers, rights, privileges and immunities heretofore conferred by any law of this state, either general or special, upon any other company in this state, organized or chartered for similar purposes but not in such a way as to infringe upon or interfere with any right or privilege of any other incorporated coal company in this state. Special powers and privileges.

§ 10. The said company shall have the power to purchase, build, equip, furnish and navigate all such canal boats, steam boats, and other water craft, as shall, in their judgment be necessary to transport, either upon the Illinois and Michigan canal or upon the Illinois river, any coal that may be mined or raised by them, or any of the coke that they shall manufacture, to such market as they shall see proper; also, to build such railroad cars as they may desire; and, for the purpose of selling their said coal and coke, may establish coal yards at such points as they may elect. Navigation.

§ 11. This act shall be taken and deemed a public act, and shall be liberally construed in all courts and places, and shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to revive an act entitled "An act to incorporate the American Bottom Lime, Marble and Coal Company," approved February 18, 1857. In force March 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act of the legislature of this state, entitled "An act to incorporate the American Bottom Lime, Marble and Coal Company," approved February 18th, 1857 be and the same is hereby revived and continued in full force and effect, to the same extent as when it was originally enacted.

Act approved Feb'y 18, 1857, revived and in force.

§ 2. The directors now living shall have the power to associate with themselves, as co-directors, any two persons in the places of W. W. Roman and Theodore Walsh, who have departed this life since the passage of the said act. Co-directors.

§ 3. This act shall take effect and be in force from and after its passage.

APPROVED March 8, 1867.

In force March 7, 1867. AN ACT to amend an act entitled "An act to incorporate the Jacksonville Mining Company," approved February 12, 1867.

SECTION 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 an amendment be so amended that the capital stock of said company may be increased to the sum of five hundred thousand dollars, instead of five hundred dollars, as in said third section expressed.

Sec. 3 amended.

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

APPROVED March 7, 1867.

In force Feb'y 25, 1867. AN ACT to incorporate the Georgetown Gold and Silver Mining Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That B. T. O. Hubbard, Harry G. Hardin and Nathan M. Brown, their successors and assigns, be and they are hereby created a body politic and corporate, by the name and style of "The Georgetown Gold and Silver Mining Company;" and, by that name, shall have perpetual succession, with power to sue and be sued, plead and be impleaded, defend and be defended in all courts and places.

Corporators.

Name and style.

Powers.

Place of business

§ 2. The principal office of said company shall be at such place within the state of Illinois as the majority of said corporators may select.

Business and transactions.

§ 3. The business of said company shall be mining for gold, silver and other precious metals, in any of the mines of any of the states and territories of the United States that they may select, the converting of the said precious metals into bullion, and transporting of the same to any of the United States mints or to any market they may choose.

Capital stock.

§ 4. The capital stock of said company shall be five hundred thousand dollars, divided into shares of one thousand dollars each; but such shares may be further subdivided by said company into shares of not less than one hundred dollars.

Possession of property, etc.

§ 5. Said company may own real and mining property to any amount, not exceeding one million of dollars, and that they may sell or encumber the same as they may deem proper.

§ 6. Said company may make all needful rules and regulations for the management of the business and property of said company, so that the same be not inconsistent with the constitution of this state or of the United States. Rules, etc.

§ 7. If the said company shall not be organized and in operation as a mining company within five years from the date hereof, this charter shall be null and void. Organization.

§ 8. This act shall be deemed a public act, so far and only so far as to be used as evidence without further proof, and shall take effect and be in force from and after its passage. Evidence of act

APPROVED February 25, 1867.

AN ACT to incorporate the Hancock Stone Company.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George P. Bowen, Adolphus Meyer, George H. Harlow, and their associates and successors, are hereby constituted a body politic and corporate, by the name and style of "Hancock Stone Company," with perpetual succession, for the purpose of quarrying, dressing and transporting stone to market or to the place or places where the same may be used; make contracts for furnishing stone, dressed or undressed, for buildings or for other purposes; burning stone for lime, and for the transacting of all other business incident to and growing out of the business aforesaid; and, by that name and style, with power to contract and be contracted with, to sue and be sued, plead and be impleaded, appear, prosecute and defend, in any and all courts of law or equity, in all suits and actions; have and use a common seal, with the privilege to alter the same at pleasure; establish, alter or change any by-laws for the government of the company; and may borrow money, purchase, hold, sell, mortgage, transfer and convey any real or personal estate or property; may make, erect or construct shafts, pits, races, roads, furnaces, forges, mills, buildings and all other works, necessary for carrying on their operations in the county of Hancock, state of Illinois, and transport the products of their said quarrying and work, and shall enjoy all the privileges incident to corporations for such purposes, and possess all the rights, powers and immunities necessary to execute and carry on such business in the state of Illinois or elsewhere. Corporators.

Corporate name and purposes.

Powers.

§ 2. The persons named in this act shall have power to organize said company, by the selection of such officers or managers as they may deem necessary, who shall have Organization.

power, subject to the control and direction of the company, to make regulations and by-laws, from time to time, for the management of their business, not inconsistent with the laws of the state or of the United States.

Capital stock.

§ 3. The capital stock of said company shall not be less than twenty thousand dollars, and may be increased to any sum not exceeding five hundred thousand dollars. Said company shall have power to fix the amount of each share of the capital stock, and to take real and personal property, or either, in payment or subscription to its stock, at such prices as they may think proper and expedient.

Disposition of shares.

§ 4. Said company shall have power to create, dispose of and issue such number of shares of the stock of said company, not exceeding in the aggregate five hundred thousand dollars, as the representative value thereof, as may be ordered by a vote of the company; to determine the par value of shares; to pay the stock of the corporation for such rights and interests in real estate as may be deemed necessary to purchase for the operations of the company.

§ 5. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED February 25, 1867.

In force Feb'y 28, 1867.

AN ACT to incorporate the El Paso Coal Mining and Manufacturing Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John T. Harper, George L. Gibson, Daniel B. Webster, George W. Fridley, Thomas Hamilton, Samuel H. Mitchell, Allen Hart, William Harper and Robert T. Cassell, and their associates, successors and assigns, be and are hereby created a body politic and corporate, by the name and style of "The El Paso Mining and Manufacturing Company;" and, by that name, shall have succession, with power to contract and be contracted with, sue and be sued, in all courts and places; to have a common seal, and change the same at pleasure; to engage in the mining, manufacturing, sale and transportation of coal, iron, coke, coal oil, sugar, and all kinds of manufacturing and mechanical business, by mills, furnaces, foundries, factories, machine shops, shafts, pits, and other structures for mining, manufacturing any and every kind of articles of coal, iron, wood, metals, wool, flour, meal, sugar or other material, or any composition, combination or mixture of them, and to carry on the same by steam or other power or mode not forbidden by law.

Corporate name and style.

Authority and powers.

§ 2. The said company may receive, purchase and hold any real estate, lease hold property, chattels real, mining rights and personal property, for the purpose of mining and manufacturing as aforesaid, and preparing for sale, transportation and selling any and all of said articles, minerals and fabrics, as may be deemed necessary by them to the successful prosecution of their business and the execution of the powers herein granted; and may buy, build and own machinery and houses for carrying on their business; and may sell and convey their real and personal property or lease the same; and may receive real estate and personal property in payment of stock; and shall have power to construct and open such wagon ways or railways and appurtenances thereto, either above or below ground, to such points as they may deem expedient; and to draw bills of exchange, promissory notes or bonds, in the prosecution of their business, and, for such purpose are hereby vested with all the rights and powers of other corporations in this state.

Possession of property, etc.

Purposes.

§ 3. The capital stock of said company shall not exceed three hundred thousand dollars, and shall be divided into shares of fifty dollars each; and the owner of stock in said company shall, by himself or proxy, be entitled to cast one vote for each share at all elections held by this company for president and directors, after the organization thereof, as provided in section four of this act.

Capital stock.

§ 4. The incorporators named in the first section of this act, or a majority of them, or of the survivors, in case any should die, are hereby authorized to open books of subscription to the capital stock of said company at such places and times as they may deem most appropriate; and as soon as the sum of ten thousand dollars is subscribed the subscribers to said stock may elect a president and not less than three nor more than seven directors to manage and transact the business and affairs of said company; at which election each subscriber, either in person or by proxy, may cast one vote for each share subscribed.

Stock subscription.

§ 5. When the said sum of ten thousand dollars shall have been subscribed to the said capital stock of said company, the said incorporators, or a majority of them, shall forthwith give notice, by publication in some newspaper published in the city of El Paso, or the next nearest paper to said city, to the subscribers to said stock to meet at El Paso on a day to be named therein, to organize said company, as provided in section four of this act. And the said president and directors, when elected, and their successors, shall have power to appoint a secretary and treasurer; and their successors shall have power to appoint a secretary, treasurer, and such other officers and agents as they may deem, and define their powers, and to make such by-laws, rules and regulations as they may deem necessary for the government and management of the business and

Organization.

Officers.

Proviso. affairs of said company and its officers and agents, not inconsistent with the constitution of this state and of the United States: *Provided*, that an election shall be held, annually, for president and directors of said company, at the office of said company, upon such notice as the president and directors may prescribe: *And provided, further*, that the office of said company shall be within or near the city of El Paso, in the county of Woodford.

Office. § 6. The president and directors shall issue certificates of stock to the owners thereof, whenever the same shall be paid for; which certificate shall be signed by the president and countersigned by the secretary and registered in a book to be kept for that purpose. Said certificates, when issued, shall be transferable and assignable in such manner as the president and directors shall by their by-laws prescribe.

Indebtedness. § 7. It shall be lawful for the president and directors to borrow or obtain on loan any sums of money, not exceeding the amount of stock actually paid in, on such terms and conditions as they may deem expedient and for the interest of said company, and to issue bonds for the same secured by mortgage on the real or personal estate of said company or otherwise.

Payment of stock. § 8. It shall be lawful for the president and 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 when and where the same are to be paid and the amount required, at least sixty days previous to the payment of the same, in some public newspaper published in the city of El Paso, or, in case no paper is published in said city, then in the next nearest newspaper; and if any person who shall have subscribed stock in said company shall fail to meet any such call within the time prescribed by said president and directors, he, she or they shall not be entitled to vote for president and directors at any annual election, unless otherwise ordered by the president and directors of said company.

§ 9. This act shall be and the same is hereby declared to be a public act, and the same shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Wall's Mining and Manufacturing Company. In force Feb'y 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George T. Wall, George W. Wall, Abram Mitchell, Thomas Tijou and Albert J. Mitchell, and their associates, successors and assigns, be and are hereby created a body politic and corporate, known by the name and style of "Wall's Mining and Manufacturing Company;" and, by that name, shall have succession, with power to contract and be contracted with, sue and be sued, in all courts and places; to have a common seal, and change the same at pleasure; to engage in the mining, manufacturing, sale and transportation of coal, iron, coke, coal oil and all kinds of mechanical and manufacturing business, by mills, furnaces, founderies, factories, machine shops, shafts, pits and other structures for mining, manufacturing and constructing any and every kind of articles of coal, iron, wood, metals, wool, flour, meal or other material, or any composition, combination or mixture of them, and to carry on the same by steam or other power or mode not forbidden by law.

§ 2. The said company may receive, purchase and hold any real estate, lease-hold property, chattels real, mining rights, and personal property, for the purpose of mining and manufacturing, as aforesaid, and preparing for sale, transportation and selling any and all of said articles, minerals and fabrics, as may be deemed necessary by them to the successful prosecution of their business and the execution of the powers herein granted; and may buy, build and own machinery, boats, houses for carrying on their business, and may sell and convey their real and personal property, or lease the same; and may receive real estate and personal property in payment of stock; and shall have power to construct and open such wagon ways or railways and appurtenances thereto, either above or below ground, to such points as they may deem expedient; and to draw bills of exchange, promissory notes or bonds, in the prosecution of their business, and, for such purposes are hereby vested with all the rights and powers of other corporations in this state.

§ 3. The capital stock of said company shall not exceed five hundred thousand dollars, and shall be divided into shares of one hundred dollars each; and the owner of stock in said company shall, by himself or by proxy, be entitled to cast one vote for each share at all elections held by this company for president and directors, after the organization thereof, as provided in section four of this act.

§ 4. The corporators named in the first section of this act, or of a majority of them, or of the survivors, in case any should die, are hereby authorized to open books of

Corporators.

Name and style

Business and operations.

Hold property.

Powers, etc.

Capital stock.

Subscription.

- subscription to the capital stock of said company, at such places and times as they may deem most appropriate; and, as soon as the sum of ten thousand dollars is subscribed, the subscribers to said stock may elect a president and not less than three nor more than seven directors, to manage and transact the business and affairs of said company; at which election each subscriber, either in person or by proxy, may cast one vote for each share subscribed.
- Officers.**
- Organization.** § 5. When the said sum of ten thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall forthwith give notice, by publication in some newspaper published in the city of Du Quoin, or the next nearest paper to said city, to the subscribers to said stock, to meet at Du Quoin, on a day to be named therein to organize said company, as provided in section four of this act; and the said president and directors, when elected, and their successors, shall have power to appoint a secretary, treasurer, and such other officers and agents as they may deem necessary, and define their powers; and to make such by-laws, rules and regulations as they may deem necessary for the government and management of the business and affairs of said company and its officers and agents, not inconsistent with the constitution and laws of this state or of the United States: *Provided*, that an election shall be held annually for president and directors of said company, at the office of said company, upon such notice as the president and directors may prescribe: *And, provided, further*, that the office of said company shall be within or near the city of Du Quoin, in the county of Perry.
- Proviso.**
- Proviso.**
- Certificates of stock.** § 6. The president and directors shall issue certificates of stock to the owners thereof, whenever the same shall be paid for; which certificate shall be signed by the president and countersigned by the secretary and registered in a book to be kept for that purpose. Said certificates, when issued, shall be transferable and assignable in such manner as the president and directors shall by their by-laws prescribe.
- Indebtedness.** § 7. It shall be lawful for the president and directors to borrow or obtain on loan any sums of money, not exceeding the amount of stock actually paid in, on such terms and conditions as they may deem expedient and for the interest of said company, and to issue bonds for the same, secured by mortgage on the real or personal estate of said company or otherwise.
- Payment of stock.** § 8. It shall be lawful for the president and directors to require payment of the sums subscribed to the capital stock, at such times, in such proportions and on such conditions as they may deem fit, under 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, and the amount required, at least sixty days previous to the payment of the same, in some public newspaper published in the city of Du Quoin, or, in case no paper is published in said city, then in the next nearest newspaper; and if any person who shall have subscribed stock in said company shall fail to meet any such call within the time prescribed by said president and directors, he, she or they shall not be entitled to vote for president and directors at any annual election, unless otherwise ordered by the president and directors of said company.

§ 9. This act shall be and the same is hereby declared to be a public act, and the same shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Whiteside Peat and Mining Company.

In force Feb'y
14, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Leander Smith, William C. Snyder, Charles Spears, Edward B. Warner, James Dinsmoor, Ralph Sage and William W. Thomás, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "Whiteside Peat and Mining Company," with perpetual succession; with power to contract and be contracted with, sue and be sued in all courts of law or where legal proceedings are had; to have and use a corporate seal, and alter the same at pleasure; to dig, bore, mine and excavate, for peat, petroleum, coal, rock, carbon oil, salt or valuable minerals or volatile substances; and to manufacture, sell and transport the products thereof; to receive, lease, buy, sell and dispose of such real and personal estate, mining and boring rights, as may be deemed to their interests, with all other powers necessary to the successful prosecution of their business, within or without the state.

Corporators.

Name and style

Powers.

Business and
operations.

§ 2. Said company shall have power to construct, use and operate such wagon roads, plank roads, railroads and appurtenances thereto, on and from the lands and works of said company, situated within the counties herein named, to any parts of the counties of Whiteside, Rock Island and Henry, and to connect with any rivers, internal navigation or railroads therein; to construct landings, wharfs and depots; to build and operate barges and boats: *Provided*, that if said company shall carry freight or passengers other than that belonging to said company, the rates thereof shall

Road privileges

Proviso.

be subject to all laws now in force or which hereafter may be enacted regulating tariffs within this state; and the right of way for said roads, landings, wharfs and depots may be obtained by said company either by gift, grant, purchase or in the mode prescribed by an act of the legislature of the state of Illinois, entitled "An act to amend the law condemning the right of way for purposes of internal improvements," approved June 22d, 1852.

Capital stock.

§ 3. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same, by a vote of the stockholders, to a sum not exceeding one million dollars. Said stock shall be subscribed and paid for as the directors of said company may order, and shall be divided into shares of ten dollars each; which shall be deemed personal property, and may be transferable, and shall be subject to such rules and regulations as the company may by its by-laws provide; and the said company may receive real and personal property in payment of any part of the subscription to the stock of said company.

Directors.

§ 4. The affairs of said company shall be managed by a board of directors, of not less than five or more than nine persons, to be elected annually by the stockholders of said company: *Provided*, that the persons named in the first section of this act shall constitute its first board of directors. All directors shall hold their office until their successors are duly elected and qualified. Any vacancy in said board of directors may be filled by the remaining directors.

Proviso.

Officers, etc.

§ 5. The board of directors may appoint such officers and agents and make such by-laws and regulations for the government of the affairs of the company as may be necessary for the prosecution of the business of the company, not inconsistent with this act or with the laws of the land.

Indebtedness.

§ 6. Said company shall have power to borrow money at such interest as they may deem proper, and to pledge all their property, real and personal, and all their rights, credits and franchises for the payment of the same.

§ 7. This act shall be in force from and after its passage.

APPROVED February 14, 1867.

In force April 19, 1867. AN ACT to incorporate the Allandale Coal Mining and Manufacturing Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Horace Billings, John Ried and Martin Westphall, and their associates, successors and assigns, be and they are hereby crea-

ted a body politic and corporate, by the name and style of "The Allandale Coal Mining and Manufacturing Company;" and, by that name, shall have perpetual succession, with power to contract and be contracted with, sue and be sued in all courts and places; to have a common seal, and change the same at pleasure; to engage in the mining, manufacturing, sale and transportation of coal, iron, glass, coke, coal oil and all kinds of mechanical and manufacturing business, by mills, furnaces, founderies, factories, machine shops, shafts, pits and other means, and structures for mining, manufacturing and making any and every kind of articles of coal, iron, wood, metals, wool, cotton, flour, meal or other material, or any composition, combination or mixture of them, and to carry on the same by steam or other power or agent not prohibited by law.

Name and style

Powers, etc.

§ 2. The said company may receive, purchase and hold any real estate, lease hold property, chattles real, mining rights, and personal property, for the purpose of mining and manufacturing, as aforesaid, and preparing for transportation and selling any and all of said articles, minerals and fabrics, as may be deemed necessary by them to the successful prosecution of their business and the execution of the powers herein granted; and said company shall have power to buy, build and own machinery, boats, houses and other fixtures for carrying on their said business; and may sell and convey their real and personal property, or lease the same, or exchange the same for other real and personal property; and may receive real estate and personal property in payment of stock; and shall have power to make and open such wagon-ways and railways and appurtenances thereto, either above or below ground, to such points as they may deem expedient; and to draw, indorse and accept bills of exchange, promissory notes or bonds in the prosecution of their business.

Possession of real estate, etc

Business and operations.

§ 3. The capital stock of said company shall not exceed five hundred thousand dollars, and shall be divided into shares of one thousand dollars each; and each owner of stock in said company shall, by himself or proxy, be entitled to cast one vote for each share at all elections held by said company for president and directors after the organization thereof, as hereinafter provided.

Capital stock

§ 4. The corporators named in the first section of this act, or a majority of them, or the survivor or survivors, in case any should die, are hereby authorized to open books of subscription to the capital stock of said company, at such places and times as they shall deem most appropriate: and as soon as the sum of one hundred thousand dollars shall be subscribed and paid in, the subscribers to said stock may elect a president and not less than three directors, to manage and transact the business and affairs of said company; at which election each subscriber, either in person or

Stock subscription.

by proxy, may cast one vote for each share so subscribed and paid in.

Officers.

§ 5. When the sum of one hundred thousand dollars shall have been subscribed to the capital stock of said company and paid in, the said corporators, or a majority of them, or the survivor or survivors, in case any should die, shall forthwith give notice, by publication in some newspaper published in the city of Joliet or town of Wilmington, notifying the subscribers to said capital stock to meet at such time and place as they may in such notice designate, to organize said company, as provided in section four of this act. And the said president and directors when elected shall have power to appoint a secretary and treasurer, as they may deem necessary, and shall define their duties and powers, and make such by-laws, rules and regulations as they may deem necessary for the government and management of the business affairs of said company and its officers, employees and agents, not inconsistent or repugnant to the constitution of the state of Illinois and of the United States. An election shall be held, annually, for president and directors of said company, at the office of said company, upon such notice as the president and directors may prescribe. The office of said company shall be at Allandale, on section nineteen (19), in township thirty-two (32) north, range nine (9) east of the third principal meridian, in Will county, Illinois.

Place of office.

Certificates of stock.

§ 5. The president and directors shall issue certificates of stock to the owners thereof, which shall be signed by the president and countersigned by the secretary; which certificates shall be registered in a book kept for that purpose. Said certificates shall be transferable and assignable in such manner as the president and directors shall by their by-laws prescribe.

Indebtedness.

§ 7. It shall be lawful for the president and directors to borrow money, not exceeding the amount of stock actually paid in, on such terms and conditions as they may deem expedient, and to issue bonds for the same, secured by mortgage on the real and personal property of said company, or otherwise.

Railway privileges.

§ 8. The said company shall have power to build and construct a railroad from any lands they may now or hereafter own or may lease or be otherwise interested in, in townships thirty-two (32) or thirty-three (33) north, range nine (9) east of the third principal meridian, in said county, to the Kankakee river, and to points on the line of the St. Louis and Chicago railroad, for the purpose of forming connections with said last mentioned railroad.

Right of way.

§ 9. The right of way for said railroad, to be constructed under the provisions of this act, as also for depots, switches, sidetracks and landings on the bank of the Kankakee river, may be obtained and held by said company, either by purchase, gift or grant, or it may condemn the lands over

which said railroad depots, switches or sidetracks may be laid out, for the purposes of this section designated, in the manner prescribed by an act to amend the laws condemning the right of way for purposes of internal improvement, approved June 22, 1852.

APPROVED February 19, 1867.

AN ACT to incorporate the Edgar Mining and Oil Company.

In force Feb'y
14, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Walter Booth, James A. Eads, A. C. Comely and John Hunter, their associates, successors and assigns, be and they are hereby created a body corporate and politic, under the name and style of "The Edgar Mining and Oil Company," with perpetual succession, and with all the privileges and immunities incident to corporations, with power to contract and be contracted with, to sue and be sued in all courts and places; to organize by the appointment of a president and such other officers as they may deem necessary; to make such by-laws, rules and regulations as they may deem expedient, from time to time, for the government and management of said corporation and its affairs and the prosecution of its business; to have a corporate seal, and alter the same at pleasure; to dig, bore and mine for coal, iron and other minerals, for salt water, coal oil and petroleum, and to manufacture, sell and transfer the same and the products thereof; to carry on the cooperage business, and all other powers necessary and adequate to effect the objects of said corporation and to forward the prosecution of its business.

§ 2. The said company may receive in payment of its capital stock, and may lease, buy and hold such personal property, real estate, interest in land, mining rights and rights of way, in this state and elsewhere, as may be deemed advantageous and necessary by them to forward their interests and to the successful prosecution of their business.

§ 3. The said company shall have power to lay out, contract and operate such wagon-ways, plank-roads, railroads, and appurtenances thereto, on and from the said lands of said company as they may deem proper for the transportation of their property, with power to condemn lands therefor, according to the provisions of any or either of the acts concerning the right of way heretofore enacted.

§ 4. Said corporation may appoint and employ such agents, as may be required by them to define the powers and prescribe the duties of such agents.

Corporators.

Name and style

Powers.

Business.

Right of way.

Business and
operations

Agents.

- Capital stock. § 5. The capital stock of said corporation shall be one hundred thousand dollars, with power to increase the same to any sum not exceeding one million of dollars, and to be divided into equal shares, as said company may determine.
- Borrow money. § 6. Said company may borrow money, at such interest as may be agreed upon, and pledge its property for the payment of the same.
- § 7. This act shall take effect and be in force from and after its passage.
- APPROVED February 14, 1867.
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In force Feb'y
12, 1867.

AN ACT to incorporate the Jacksonville Mining Company.

Corporators.

Name.

Term.

Corporate
powers.

Objects and
business.

Capital stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Harvey C. Fuller, James Q. Palmer, Joseph Ramsey, William Morley and George Graff, and their associates and successors, are hereby constituted a body corporate and politic, by the name of "The Jacksonville Mining Company," for the term of fifty years, with power to contract and be contracted with, sue and be sued in that name, in all courts and places. They may have a common seal, and alter the same at pleasure. They shall have power to organize said company, by the appointment of a president and such other officers as they may deem expedient at such time and place and upon such notice as they may deem necessary; and, when thus organized, they and their successors shall have power to pass such by-laws and make such rules and regulations for the government of the company and the management of its affairs and business and the promotion of its interests as they may deem to be promotive of its welfare, and not inconsistent with the constitution and laws of this state and the United States.

§ 2. The object and business of the said company shall be mining for coal or other minerals or ores, the quarrying of rock, the manufacture of lime, slates or such other articles as in the prosecution of said mining operations they may deem expedient, and the transportation and sale of the products of their operations; and said company may acquire and hold such real and personal estate and mining rights as they may deem necessary and expedient for the prosecution of their business, and sell, transfer and convey the same.

§ 3. The capital stock of said company shall consist of the lands, mining rights and personal property connected therewith, in Morgan county, now owned by the corporators above named, trading under the name and style of H.

C. Fuller & Co., and said capital may be increased to the sum of five hundred dollars, to be divided into shares as said company may determine.

§ 4. The said company, in carrying out the provisions of this act, may appoint as many agents and employ as many persons as they may deem necessary, and define their powers and prescribe their duties.

§ 5. The said company are hereby empowered and authorized to construct and operate any railroad, tram road or wagon-road, necessary and proper for the transportation of the products of their operations to a market, with power to condemn land or materials therefor, according to the provisions of any or either of the acts concerning the acquisition of the right of way heretofore enacted or which may be hereafter enacted. Business powers.

§ 6. A transcript or copy, certified by the secretary or clerk of said company, under the corporate seal thereof, shall be *prima facie* evidence in all courts and places of the acts of the company in relation to its organization or of any document, paper or proceeding relative to the affairs of said company. Evidence of act

§ 7. The said company shall have power to borrow money, and issue their bonds, and secure the same by mortgage or other security. Borrow money.

§ 8. This act shall be in force from and after its passage.

APPROVED February 12, 1867.

AN ACT to incorporate the Osceola Gold and Silver Mining Company. In force Feb'y 13, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Lester H. Robinson, Leander Smith, William Prothrow, Aaron C. Jackson and Edward B. Warner, and their associates and successors and assigns, are hereby constituted a body politic and corporate, by the name and style of "Osceola Gold and Silver Mining Company;" with perpetual succession, for the purpose of excavating, mining and exploring for gold silver, copper, lead and other valuable ores and minerals, and smelting and extracting metals therefrom; and, by that name and style, with power to contract and be contracted with, sue and be sued, plead and be impleaded, appear, prosecute and defend, in all courts of law or equity in all suits and actions; have and use a common seal, and alter the same at pleasure; establish, alter or change any by-laws for the government of the company; may borrow money, purchase, hold, sell, mortgage, transfer and convey Corporators.

Corporate name and powers.

any real or personal estate, mines, mining rights, or other property; may establish a sinking fund, the proceeds of which may be loaned, with proper security; may make, erect or construct shafts, pits, races, roads, furnaces, forges, mills, buildings and all other works necessary for the successful prosecution of their business; and shall enjoy all the privileges incident to corporations for such purposes, and possess all the rights, powers and immunities necessary to execute and carry on such business within or without this state.

Directors.

§ 2. The affairs of said company shall be managed by a board of directors of not less than five or more than nine persons, to be chosen annually, who shall hold their offices until their successors are elected and qualified; and said board shall have power to make such by-laws, rules and regulations, from time to time, for the management of the business of the company, not inconsistent with the laws of this state or other states and territories of the United States where such company may be operating. Said board of directors shall have power to open agencies or offices in this state or the states and territories of the United States, and may appoint such officers and agents as they may deem proper; and all vacancies in said board may be filled by the remaining directors.

Capital stock.

§ 3. The capital stock of said company shall be three hundred thousand dollars, and be increased by a vote of stockholders to two million dollars. Said company shall have power to fix the amount of shares of stock, and to take real and personal property and mining rights, or either, in payment on subscription to its stock, at such prices as the directors may think proper; and shall have power to regulate the rates and terms upon which stock will be issued. Said stock shall be deemed personal property, and may be transferable, and shall be subject to such rules and regulations as the company, by its by-laws, may provide, not inconsistent with this act and the laws of the land: *Provided*, that the holder of any full paid stock shall not be liable for the corporate indebtedness of the company.

§ 4. The persons named in the first section of this act shall constitute the first board of directors of said company; and thereafter all elections for directors shall be held as provided by the by-laws of the company.

§ 5. The general office of this company shall be at Morrison, in the county of Whiteside, and state of Illinois.

§ 6. This act to be in force from and after its passage.

APPROVED February 13, 1867.

AN ACT to incorporate the Vermilion Coal Company, of Illinois.

In force Feb'y
19, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Worthy Corporators.

S. Streator, Ralph Plumb, George A. Bittenbauner, Charles Waron and Benjamin J. Wells, their associates and successors, be and they are hereby constituted a body corporate, by the name and style of "The Vermilion Coal Company," Name, style and powers. with power to contract and be contracted with, sue and be sued by that name in all courts of law and equity in this state; to have a common seal; to purchase and hold real estate, and to engage in the business of mining, coking, transporting and selling of mineral coal, in and upon all lands now owned or hereafter to be owned by said company in the counties of LaSalle and Livingston, in the state of Illinois; and in the transportation of said coal to home and foreign markets; and to have all needful and necessary powers for the successful prosecution of their business and for the exercise of the powers herein granted.

§ 2. The said company is hereby also empowered to May sell lands, etc. sell and dispose of any and all lands owned by them, and to convey the same by deed; to appoint all necessary agents and officers to transact the business of the company; to pass such by-laws and regulations, not inconsistent with the laws of this state and of the United States, as may be necessary for the perfect organization of said company and the prosecution of its business, within the meaning of this act; with power to hold personal property, either as security or otherwise, and to sell the same; and to erect and maintain such buildings and machinery, and to lay out and maintain such road or roads as may be necessary to carry on such business.

§ 3. The capital stock of said company shall be five Capital. hundred thousand dollars, divided into shares of one hundred dollars each, with power to increase said capital stock, by a vote of the stockholders, at any meeting thereof, called for that purpose; which said shares of stock may be transferred or assigned as may be provided for by the by-laws of said company.

§ 4. The said company shall have power to excavate any Construct roads. cut or drift upon or through any lands that may be required for the purpose of draining any of the coal mines of said company; to construct, maintain and operate any wagon road or railroad from any point on the lands of said company to any wagon road or railroad now built or to be built hereafter, within the counties of LaSalle and Livingston, in the state of Illinois. The right of way for such road or roads to be constructed under the provisions of this act may be obtained by said company either by purchase, gift or grant, or in the mode prescribed by an act of the state of

Illinois, entitled "An act to amend the law condemning the right of way for the purpose of internal improvements," passed June 22, 1852.

Directors—
number of.

§ 5. The directors of this company shall consist of not less than three nor more than seven, who shall be elected annually by the stockholders of said company and at such time and place and upon such notice as the by-laws of said company may prescribe. At each election of the company, each stockholder shall be entitled to one vote for each share of stock held by them.

Duties, powers
and business
of company.

§ 6. Said company are further authorized to borrow money to carry on the business of said company, and, for that purpose, may issue the bonds of said company, bearing interest not to exceed ten per cent. per annum; which said bonds shall be a lien upon all the lands and personal property of said company until paid, from the time said bonds shall be recorded in the recorder's office of said counties of La Salle and Livingston, it being the intent of this act to make said bonds a lien upon said lands and personal property in such counties where the same shall be recorded, and in them only.

§ 7. This act shall be a public act, and be in force from and after its passage.

APPROVED February 19, 1867.

In force Feb'y
21, 1867.

AN ACT relative to mining for lead ore or other minerals.

Duties of cor-
porate mining
companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That every corporation, company, association of persons or other party now engaged in mining for lead ore or other minerals, or which may hereafter be engaged in operating or mining for lead ore or other minerals, whenever it is necessary for the purpose of prosecuting such mining enterprise to conduct or convey the water from any shaft, levels or land occupied by them for mining purposes, shall have the right and privilege of conducting and conveying the water therefrom, upon, over or below the surface of the lands of any owner or owners of lands adjoining or adjacent to the grounds so worked or to be used for mining purposes by such corporation, company, association of persons or other party, in pipes, ditches, water races or tunnels, and to deposit waste earth from their said mines, thereby doing as little damage or injury to the owner or owners of adjoining lands or the improvement thereon as the same will admit of, with the privilege of extending said pipes, ditches, water-races or

tunnels as far over adjacent lands as may be necessary to obtain a proper outlet for the water, upon complying with the provisions of this act.

§ 2. Whenever such corporation, company or other party can not agree with the owner or owners of such adjoining lands upon the amount of damages for the right and privilege of conveying the water from any shaft, level or mining land aforesaid, such corporation, company or association of persons, or other party, may apply to the judge of the county court of the county where the land is situated for the appointment of three commissioners, to assess such damage. The judge of said county court, upon such application being made, shall appoint three disinterested freeholders, residents of his county, to act as commissioners, who, after being duly sworn for that purpose, shall proceed to make an examination of all the lands necessary and proper to be used by said company, corporation, association of persons, or other party in conducting or conveying the water from such shaft, level or mineral lands, and for depositing waste earth, as aforesaid, and also for such lands as may be overflowed or liable to overflow by the reason of erecting, constructing and maintaining such pipes, ditches, tunnels or the keeping up and maintaining water-races upon said lands, and make an award, in writing, in which they shall award to the owner or owners of such land or lands the amount of damages to which such owner or owners of said land or lands shall be entitled, by reason of use of lands for waste earth and for the erection, construction and maintaining such pipes, ditches, tunnels or water-race, or that may be erected and maintained for the purpose of conveying the water from the same.

§ 3. Said commissioners shall meet within thirty days from the time of their appointment to make their examination and award, by virtue of this act, and shall have power to adjourn, from time to time, not exceeding two adjournments in all; and the owner or owners of such land shall be notified to appear before them, at the time and place of such meeting, and shall be entitled to be heard before said commissioners in regard to the amount of damages by them sustained or liable to be sustained in consequence of the erecting, making and maintaining of such pipes, ditches, tunnels or water-races, and depositing waste earth, as aforesaid. Such notice shall, at least six days before such meeting, be served personally or by leaving a copy thereof at the residence of the owner or owners of such land aforesaid: *Provided*, such owner or owners reside in the county where said lands are situated; and in case such owner or owners are non-residents of the county, then such notice shall be served upon their attorney or agent, if they have any in such county, and if there is no such agent or attorney in the county then such notice shall be published in a news-

paper printed in said county for at least three weeks before the meeting of said commissioners.

Decisions and awards. § 4. The decision and award of said commissioners shall be final, unless appealed from, as provided for in this act; and the said award, together with due proof of the notice or notices upon the owner or owners of said land, or upon their attorney or agent, as provided for in this act, shall be filed in the office of the clerk of the circuit court of the county wherein the award is made, shall be *prima facie* evidence of the regularity of said proceedings; and at the next term of the circuit court of the proper county, upon motion made by any party interested therein, a judgment may be entered up and execution issued to the same effect and in the same manner as judgments are entered, executions issued upon actions of civil nature commenced and tried in the circuit court.

Appeals. § 5. Any corporation, company, association of persons, or other party considering themselves aggrieved by the award of said commissioners, may appeal therefrom, within twenty days from the time of filing said award, to the circuit court of the proper county, in the same manner as is provided by law for appeals from judgments of a justice of the peace. Said commissioners shall be entitled to receive two dollars per day, each, for their services as such commissioners, which shall be paid by such corporation, company or party.

Use of property § 6. And it is hereby expressly provided, that the pipes, ditches and water-races or tunnels laid, excavated or constructed by virtue of the provisions of this act, shall, under no circumstances, be used by the owners of the lands through which they may be laid or constructed or by any other person or persons, for any purpose whatsoever other than the drainage of the lands; and no person or persons whatsoever shall be authorized to enter the same, except for the purpose of repairing, altering, extending or otherwise improving the same, without the written consent of the parties interested first had and obtained.

§ 7. This act shall take effect and be in force from and after its passage.

APPROVED, February 21, 1867.

In force Feb'y 21, 1867. AN ACT to incorporate the Central Coal Company, of Ottawa, Illinois.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Thaddeus Hampton, John T. Vash, D. F. Cameron, E. M. Drew, Thomas Claney, their associates, successors and assigns, be

and they are hereby constituted a body corporate and politic, by the name and style of "The Central Coal Company, of Ottawa, Illinois," with power to contract and be contracted with, sue and be sued in that [name] in all courts and places; to have a common seal; to engage in the mining of coal, iron, salt and other minerals, and in the manufacture of and sale of salt, iron, lime and other products of land now owned or hereafter to be owned by them in the counties of La Salle and Livingston, and in the transportation of the same or any of them, to home or foreign markets; to connect their works with the Illinois and Michigan canal, with the Illinois river or with any railroad, or otherwise, with the privilege of obtaining right of way for the same under existing laws providing for obtaining right of way for purposes of internal improvements, approved June 22d, 1852; to hold their meetings within or without the state; and to have all powers needful for the successful prosecution of their business and for the execution of the powers herein granted.

Name and style.

Powers, privileges, etc.

§ 2. That the said corporation, their associates and assigns, shall have power to organize said company, by the appointment of such officers as they may deem necessary; to make all by-laws, rules and regulations as they may deem necessary, from time to time, for the government and management of said company, not inconsistent with the constitution and laws of this state or of the United States.

Organization and officers.

§ 3. The capital stock of the said company shall be one hundred thousand dollars, with power to increase the same to five hundred thousand dollars, to be divided into shares of one hundred dollars each.

Capital stock.

§ 4. The president and other officers or managers of said company shall issue certificates of stock to the holders thereof, which certificates shall be assignable only as the by-laws of said company may direct.

Certificates of stock.

§ 5. The said company may build, buy and own boats, for carrying on their business, and may dispose of any or all of their property as they may see fit. They may receive real estate on payment of any part of the subscription to the stock of said company.

Property to be owned, etc.

§ 6. That it shall be lawful for the president and managers of said company, from time to time, and at all times, to borrow money or obtain on loans of such sums of money and on such terms, not exceeding ten per cent. interest, as they may deem expedient for the use of said company, and to pledge or mortgage any or all of their property for the repayment of said money so borrowed.

Time of organization.

§ 7. That this act shall take effect and be in force from and after its passage: *Provided*, that if the corporation shall not organize within ten years from the passage of this act and commence business, as contemplated by this act, then this act shall be null and of no force whatever.

Indebtedness.

APPROVED February 21, 1867.

In force March
6, 1867.

AN ACT to incorporate the Green Lawn Springs Company.

Corporators.

Name.

Powers and pri-
vileges.

Capital stock.

Subscription.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas S. Casey, George H. Varnell, William H. Herdman, Willis D. Green, Stephen T. Stratton, and their associates, successors and assigns, are hereby constituted a body politic and corporate, under the style and name of "The Green Lawn Springs Company," with power to sue and be sued, and to plead and be impleaded, in all the courts of law and equity in this state.

2. The said company are hereby authorized to purchase, lease and hold any real estate, not exceeding one hundred acres, lying in Jefferson county, and having thereon mineral springs, and to erect and maintain a hotel upon said real estate, with all the usual appurtenances of a hotel, and, also, all other buildings which may be necessary for the comfort of guests drinking the waters of such mineral springs; and, also, to purchase and own all personal property necessary to the proper carrying on of such hotel.

§ 3. The capital stock of said company shall be fifty thousand dollars, divided into shares of one hundred dollars each, and may be increased to one hundred thousand dollars by vote of said company, and the persons named in the first section of this act, or a majority of them, may, on the first Monday in April, or on the first Monday of any month thereafter, open books for subscription to the capital stock of said company, in the office of the circuit clerk of said county of Jefferson; and the stockholders shall elect not less than three no more than five directors; and said directors shall adopt such by-laws as they may deem proper, not inconsistent with the constitution of this state or of the United States.

§ 4. This act shall take effect from and after its passage.
APPROVED March 6, 1867.

In force Feb'y
23, 1867.

AN ACT to incorporate the Versailles Mineral Springs Company.

Corporators.

Name and style

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles D. Wilbur, Alonzo B. Smith, Sharon Tyndale, John H. Daniels, Olof Johnson and James H. Beveridge, and all other persons that may be associated with them, for the purposes herein after named, are hereby constituted and declared a body politic and corporate, by the name and style of "The Versailles Mineral Springs Company;" and, by that name and style, they and their successors shall have

perpetual succession ; may contract and be contracted with, sue and be sued, plead and be impleaded ; make and use a common seal, and alter the same at pleasure ; and be capable in law of purchasing, holding and conveying real and personal estate, for the uses and purposes of said corporation ; and may prescribe the number and duties of its officers, and make such rules, regulations and by-laws as they may deem proper : *Provided*, the same shall not be inconsistent with the laws and constitution of this state and of the United States. Legal rights.

§ 2. Said company shall have power to build and maintain a hotel, spring and bath houses, and also to make and keep in repair a private park and garden on such grounds as they may become seized of, at or near Versailles, in Brown county, Illinois. Powers and privileges.

§ 3. The capital stock of said company shall be seventy five thousand dollars ; but said company shall have power to increase the same to one hundred and fifty thousand dollars ; which stock shall be divided into shares of one hundred dollars each ; and such shares shall be considered personal property, and may be transferred in such manner as said corporation may pronounce. The stockholders of said company shall be entitled to one vote for each share of stock held, respectively, by such stockholders, in all business meetings. Capital stock.

§ 4. Whenever forty thousand dollars shall be subscribed to the capital stock of such company, said company may proceed to organize, make calls upon its stocks, and proceed to carry out the objects of said association. Organization.

§ 5. Said corporation shall have power to borrow money, at such rates of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds therefor ; and may convey, in pledge, as security therefor, the property, real or personal, of said corporation. Said corporation, by its managers or directors, shall have power to require payment of the sums subscribed to the capital stock at such times and in such proportions as they shall deem fit ; and upon such notice being given of such calls for payment as the rules adopted by said corporation may prescribe, and on failure to pay the same, as required, said corporation shall have power either to forfeit the shares of such delinquent stockholders to the company or to sell the same, upon such notice as the rules or by-laws of said corporation may prescribe. Indebtedness.

§ 6. This act shall be in force from and after its passage.
APPROVED February 23, 1867.

In force March 5, 1867. AN ACT to enable Lyman L. Palmer, a minor, to sell and convey real estate.

Lawful age.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That Lyman L. Palmer, a minor, of Macoupin county, in this state, is hereby declared to be of lawful age, for the purpose of selling and conveying the northwest quarter of the northwest quarter of section number twelve (12) and the south half of the east half of the northwest quarter of the northwest quarter of section No. one (1); all in township No. nine (9) north, range No. ten (10) west of the third principal meridian, in the county of Jersey, and state of Illinois; and that such sale and conveyance be declared to vest as good title in the grantee therein as if the said minor had attained to the age of twenty-one years.

§ 2. This act to take effect and be in force from and after its passage.

APPROVED March 5, 1867.

In force Feb'y 28, 1867. AN ACT to enable Edward F. Rice, a minor, to sell and convey his Real Estate.

Lawful age.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That Edward F. Rice, a minor, of Macoupin county, in this state, is hereby declared to be of lawful age, for the purpose of selling and conveying his real estate, situated in the county of Macoupin, and state of Illinois; and that upon making such sale and conveyance such title as he may possess may and shall vest in the grantee thereof as if he had fully attained the age of twenty-one years.

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

APPROVED February 28, 1867.

In force Feb'y 26, 1867.

AN ACT to declare Andrew J. Henderson of lawful age.

Declaration of.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That Andrew J. Henderson, a minor, of Macoupin county in this state, is hereby declared to be of lawful age, and capable of doing and performing any and all acts in his own name as well as

if he had attained the age of twenty-one years: *Provided*, Proviso. that nothing herein contained shall be so construed as to allow the said Andrew J. Henderson to exercise the right of suffrage or to convey real estate until he has arrived at the age of twenty-one years.

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

APPROVED February 26, 1867.

AN ACT to incorporate the Chicago Atwater Motor Company.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John B. Atwater, Samuel F. Allen, Seneca D. Kimbark, Elbridge G. Hall, Thomas Church, George M. Kimbark and Cyrus M. Hawley, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The Chicago Atwater Motor Company;" and shall have succession, a common seal, power to plead and be impleaded, to appoint all necessary officers, servants and assistants, and may have and enjoy and exercise all the powers necessary to carry out and execute the purposes and intents of an engine and machinery manufacturing company. The general office of said company shall be at the city of Chicago, in the county of Cook, and state of Illinois.

Corporators.

Corporate name
and rights, etc.

General office.

§ 2. A majority of the corporators herein named may proceed to open books for subscription to the stock of said company, and shall, at the same time or thereafter, designate a time and place for the first election of directors of said company, by parties subscribing to the stock thereof; and each share of stock so subscribed for shall be entitled to one vote.

Stock subscrip-
tion.

§ 3. The capital stock of said company shall be one million dollars, to be subscribed and paid for in the manner prescribed by the by-laws to be framed and made by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable on the books of the said company in such manner as its by-laws may prescribe.

Capital stock.

§ 4. The directors shall have power to call for the payment of the capital stock subscribed at such time or times and in such rates or proportions as they may deem proper, and if any stockholder shall fail to pay the same, according to such call, within sixty days after being notified so to do, it shall be lawful for the directors to enforce the payment

Payment
stock. of

thereof by suit or to sell the stock of such non-paying stockholder at public auction to the highest bidder; and the proceeds of such sale, after deducting the expenses thereof, shall be paid over to such non-paying stockholder, who shall thereby cease to be a stockholder in the said company; and the purchasers at such sale or sales shall become stockholders in the said company, and shall have and enjoy all the privileges and profits accruing or accrued to the shares of stock by them purchased, and become liable for the payment of all calls then due or thereafter made on said shares of stock; but such sales and transfers shall not be binding upon said company unless the amount called and then due on such shares is paid into said company by the said purchaser or purchasers.

Indebtedness. § 5. The said corporation shall have power to borrow money, and may secure the payment of the same by deed of trust, mortgage or other securities.

Real estate—purchase of. § 6. It shall be lawful for said company hereby incorporated to purchase and hold such real estate as may be deemed necessary by them for the successful prosecution of its business, and to take and hold trust deeds and mortgages to secure any moneys due to said company, and to receive real estate in payment of any claim or claims against any person or persons or corporation, and shall have power to sell and convey the same in such manner as the by-laws may prescribe.

Management of affairs. § 7. The affairs of the company shall be managed by a board of directors of at least five in number. After the first election, as herein provided, the directors shall be elected by the stockholders, at such time and place and in such manner as shall be established by the by-laws of said company. The directors shall be elected annually; but any failure or omission to elect directors shall in no wise impair or affect the rights and powers of directors holding over or the rights or interests of the stockholders or others interested in said company.

Organization. § 8. After the election of directors as aforesaid, the said company shall have power to commence its business, in the full enjoyment of the privileges of this act, at such place and places in the city of Chicago as the directors may designate.

Dividends. § 9. The board of directors shall have power to declare dividends on the stock of the company paid in, at any time after the accumulation of profits.

Term of existence. § 10. This corporation shall exist for the term of fifty years from the date of the passage of this act, and shall be entitled to use all its corporate powers for two years thereafter and until all its business affairs are closed up.

By-laws and appointment of officers. § 11. The directors shall have power to frame by-laws for the election and appointment of all the officers and agents of said company and for regulating the operations

of said company, and to alter the same in the manner to be provided in the by-laws: *Provided*, that the same shall contain nothing inconsistent with the constitution of this state or of the United States.

§ 12. This act shall be a public act, and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Freeport City Market.

In force March
7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John F. Corporators.

Smith, William G. Waddle, Charles L. Currier, Edward L. Cronkrite, Jackson S. Rogers, J. H. Snyder, George F. De Forest, Luther W. Gnetian, Essom Mayer, Joseph M. Bailey, Jacob Kenezy, James Mitchell, Horace Tarbox, James S. Cochran, Andrew P. Long, Henry Lichtenberger, George Lichtenberger, William Young and W. W. Robey, of the county of Stephenson, and their associates, and all other persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared a body politic and corporate, by the name and style of "The Freeport City Market;" to have perpetual succession; to be capable in law of suing and being sued; to have a common seal, and the same to alter and renew at pleasure; and to have, hold, receive, enjoy and take in fee simple, such real and also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction, and for the proper management and maintenance of a market house in the city of Freeport, in their said county of Stephenson, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage or convey the said real or personal estate. Corporate name
and powers.

§ 2. That the object and purpose of said corporation Object. shall be to supply and erect suitable building or buildings, lots, grounds and stalls, with all things necessary for the use thereof, at any place within the limits of the city of Freeport; the same to be appropriated and used as a public market, for the sale and vending of meats and vegetables and all other kinds of victuals and provisions whatsoever; the said market buildings, the stalls or any one or more or all of the same to be leased, rented or disposed of in such manner or upon such terms and conditions as the directors shall determine.

§ 3. That the capital stock of said corporation shall be Capital stock—
shares. ten thousand dollars, with power to increase the same at

any time thereafter to the further sum of thirty thousand dollars, at the discretion of a majority of the board of directors of said corporation. That said capital stock shall be divided into one hundred shares of one hundred dollars each, which shall be deemed personal property; and said shares shall be in such form and be issued and transferred in accordance with such by-laws as the directors of said corporation may establish; and that upon any increase of the capital stock, the stockholders shall have the option of subscribing for the same, *pro rata*, within such times as the directors may limit.

Increase of.

Directors.

Term of office.

Vacancies.

Vote of stockholders.

§ 4. That the government and control of the Freeport City Market and the management of its property shall be vested in and the corporate powers of said company shall be exercised by a board of not less than three nor more than seven directors, who shall be elected, by ballot, from among the stockholders. They shall continue in office until their successors are elected. They shall elect a president, secretary, and treasurer, and other necessary officers, and shall supply all vacancies in their number, however occasioned, and shall have the entire control of the affairs and interests of the company.

§ 5. No person shall be elected a director who shall not be at the time a stockholder of said company; and in every election each stockholder will be entitled to one vote for each share of stock held by him; but no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election or meeting of said company unless the whole sum called for on the share or shares by him or them held at that time shall have been fully paid and discharged.

Quorum.

§ 6. A majority of the directors, of whom the president or vice president shall be one, shall constitute a quorum for the transaction of business.

Rules and regulations.

§ 7. That said corporation shall have power to make, ordain and establish all such by-laws, rules and regulations as shall appear to be necessary and convenient to fulfill the purposes and to carry into effect the provisions of this act and the well ordering and securing the affairs, business and interests of said company.

Dividends.

§ 8. That the directors of said corporation shall have the right, from time to time, to declare dividends of the interests and profits of said corporation, as may be by them deemed advisable, to be paid at the office of said company at any time after fifteen days from the day of declaring the same.

Subscription.

§ 9. Horace Tarbox, one of the incorporators herein, is hereby authorized to open books of subscription to the stock of said company; and as soon as the capital stock of said company is subscribed and five per cent. of the same actually paid in, then the stockholders shall proceed to elect

directors to manage and transact the business affairs of said company.

§ 10. The city of Freeport is hereby authorized to pass all necessary ordinances and regulations for the prevention of the vending or sale of all deteriorated or unwholesome provisions, within said market, and also for the prevention of the using of false weights or measures therein. Government of market.

§ 11. This act is hereby declared a public act, and shall be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Fulton County Monumental Association.

In force Feb'y
21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George W. Wright, B. F. Lermond, Ainos C. Babcock, William H. Haskell, James H. McCall, Henry Augustine, William C. Dey, Charles Wills, Asa Willison, Henry Phelps, William W. Hull, C. B. Cox, Joab Mershon, William Stewart, Abner Barnes, Norman Curtis, and their associates and successors, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Fulton County Soldiers' Monumental Association;" Corporators.
and, by that name, they and their successors shall be capable in law of contracting and being contracted with, suing and being sued, defending and being defended in all courts and places and in all matters whatsoever, with full power to acquire, hold, occupy and enjoy all such real and personal estate as may be necessary and proper for construction, extension and usefulness of the works of said association, and for the purpose of carrying on the objects and intentions of said association, and for the management and good government of the same; and they may have a common seal, and the same may alter and renew at pleasure. Corporate name and powers

§ 2. The corporation hereby created shall have full power to erect, or cause to be erected, at some point in said county of Fulton, to commemorate the memory of the soldiers of said county who lost their lives in the defense of their country of their country in their country in the late rebellion, a monument of such proportions and with such device, desigus and embellishments, and of such material as they may see fit, and inclose the same with such fence or inclosure as they may desire, and at such cost and expense as to them shall seem proper. Erect a monument in Fulton county.

§ 3. The said association may receive, by subscription, donation and otherwise, all such sums of money or property as may be necessary for the erection of said monu- Cost, etc. Capital stock.

ment; and the capital stock of said association shall not exceed one hundred thousand dollars, and shall be divided into shares of five dollars each, to be subscribed and paid for in such proportion as shall be prescribed by the by-laws and rules for the regulating of the concerns of said association, as they shall think necessary and proper, respecting the management and disposition of the stock, property and estate of said association.

By-laws, etc.

Government of affairs.

Election of trustees.

Vote of stock-holders.

§ 4. The management of the affairs of said association shall be vested in seven trustees. Said trustees may elect one of their number president, also elect a secretary and treasurer. Said treasurer shall give bond, in such sum as the majority of said trustees shall direct, for the faithful performance of his duties and the safe keeping of the funds of said association. The election of said trustees shall take place upon the first Monday in April, A. D. 1867; but if no election take place upon said day, it may take place upon the first Monday in any month thereafter. Each share of stock shall entitle the holder to one vote in the election of said trustees. Said trustees may make such by-laws, rules and regulations as they may deem necessary for the management of the affairs of said association.

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

APPROVED February 21, 1867.

In force Feb'y 21, 1867. AN ACT to legalize the location of the Soldiers' Monument in the village of Byron, county of Ogle, and state of Illinois, and to authorize the town of Byron to raise money by taxation, and for other purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the location of the Soldiers' Monument heretofore erected by the Monument Association of the town of Byron, in Ogle county, upon the square or street crossing at the intersection of Second and Chestnut streets, in the village of Byron in the town of Byron, aforesaid be and the same is hereby legalized and confirmed, and that, so long as said monument shall remain upon said square or crossing, twenty (20) feet square in the center of said street crossing shall be and the same is hereby set apart and appropriated to the sole use and occupancy of the said soldiers' monument.

Location.

Legalized and confirmed.

§ 2. The town of Byron aforesaid is hereby made and constituted the owner and proprietor of said Soldiers' Monument, and the supervision, care, custody and control of the said monument and the grounds in section one of this act set apart are hereby given to and vested in the board of auditors of said town.

Sole owner.

§ 3. The said town of Byron is hereby authorized and empowered to levy and raise money, by taxation, for the purpose of improving said monument and grounds, and for keeping the same in repair; said taxes to be levied and collected in the same manner as the fund for the payment of other town expenses is now levied and collected, as provided by law. Indebtedness.

§ 4. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED February 21, 1867.

AN ACT to provide for building a Soldiers' Monument in the county of Knox. In force Feb'y 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of Knox county are hereby authorized to make an appropriation, not exceeding ten thousand dollars, to be levied and collected as other taxes in said county, to build a soldiers' monument. Amount of appropriation.

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

APPROVED February 21, 1867.

AN ACT to enable the citizens of the township of Dement, in the county of Ogle, and state of Illinois, to raise money, by taxation, for the purpose of erecting a Soldiers' Monument in said town of Dement. In force Feb'y 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That at any annual town meeting or at any special town meeting, legally called, for the purpose hereinafter mentioned, the legal voters of the township of Dement, in the county of Ogle, be and they are hereby authorized and empowered to vote upon the question of raising a sum of money not exceeding eight thousand dollars, by taxation, for the purpose of erecting in said town of Dement a Soldiers' Monument: *Provided*, that the notices for such election or town meeting, whether annual or special, shall distinctly state that at such election or town meeting, the question of levying a tax for the purpose of erecting a Soldiers' Monument in the town of Dement will be voted upon, and stating also the rate per cent. to be so levied. Town meetings
Money to be raised by taxation.

Elections.

By ballot.

Rate of tax.

Disposition of taxes.

Purpose.

§ 2. The election or town meeting for the purpose specified in section one of this act, shall be conducted by the same officers and in the same manner, as near as may be, as is now provided by law for the conducting of elections for town officers. The voting upon such question of taxation shall be by ballot, either printed or written, or partly printed and partly written, upon such ballots the words "For Monument tax" of—per cent. (inserting in the blank the rate per cent. contained in the notices for such election or town meeting), or the words "Against Monument tax;" and if, upon a canvass of the votes being made, it shall appear that a majority of all the votes cast at such election or town meeting shall be "for monument tax" the moderator and clerk of such election shall certify the same, together with the rate per cent. voted for to the county clerk of said Ogle county, whose duty it shall be to extend upon the collector's books of said town of Dement, in a separate column, headed "Monument Tax," the rate of tax so certified to him upon all the taxable property of said town of Dement; and the same shall be collected and returned by the town collector of said town, the same as other town taxes; but if upon such canvass being made, it shall appear that a majority of all votes cast at such town meeting shall be "against monument tax," then no such tax shall be levied; and, in either case, the poll book of such election or town meeting, upon such question of taxation, shall be filed in the office of the town clerk of said town.

§ 3. All taxes collected under the provisions of this act, shall when collected and returned, be paid into the hands of the supervisor of said town of Dement, and be by him expended and paid out for the purpose specified in this act, and upon the order of the proper person or persons having in charge the erection of the Soldiers' Monument contemplated in this act, as shall hereafter by said town of Dement be entrusted with the erection of such monument.

§ 4. This act shall be taken and declared to be a public act, and be in force from and after its passage.

APPROVED February 21, 1867.

In force Feb'y
25, 1867.

AN ACT to incorporate the Boone County Monumental Association.

SECTION 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 hereafter subscribed shall be and they are hereby and their associates and successors in office are hereby consti-*

tuted and declared a body corporate and politic by the name and style of "The Boone County Monumental Association," from and after the passage of this act; and, by that name, they and their successors shall have succession, and shall be in law capable of seizing and being seized, 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 and conveying such real and personal estate as may be necessary or proper to effect the objects of this act of incorporation.

Corporate name
and powers.

§ 2. The said association, hereby incorporated, shall have power to erect in the town of Belvidere, a monument to the memory of such soldiers and sailors of Boone county as have died in the service of the country, during the late war, and such as may hereafter die by reason of wounds received or sickness incurred while in the line of such duty, and of such as may have enlisted and been credited to said county and have died or may hereafter die by reason of wounds received or sickness incurred while in the line of such duty.

Erection of
monument.

§ 3. That Stephen A. Hurlbut, Allen C. Fuller, Lemuel O. Gilman, J. Wilson Harper, Charles B. Loop, Wm. Haywood, Milton E. Keeler, James M. Tisdell, David L. Baker, Leander L. Shattuck, Almon Schellinger, Wm. Cunningham, or a majority of them, are hereby appointed commissioners to obtain subscriptions; and after giving ten days' notice in some newspaper published in said county, may open books for the subscription of stock, at such times and places as they may direct, and require of any subscriber, at the time of subscribing, to pay such commissioners such portion of said subscription as they, in their judgment, deem proper; and when such subscription shall amount to the sum of five thousand dollars said commissioners shall call a meeting of said stockholders at Belvidere, after giving ten days' notice to each stockholder, in some newspaper published in said county of Boone. The capital stock of said association may be not to exceed twenty-five thousand dollars, and the shares in the stock of said association shall be five dollars each.

Commissioners

Stock subscrip-
tion.

Capital stock.

§ 4. At the said meeting the stockholders of said association shall proceed to elect nine directors, who shall manage, direct and govern the affairs of said association one year from the period of their election and until their successors are elected and qualified; and at every 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. The period of election of directors, as aforesaid, shall be held annually, on the first Monday of the month in which the first election shall be held, unless changed by a vote of the stockholders at an

Directors.

Vote of stock-
holders.

Election.

annual meeting, or otherwise provided for or changed by the by-laws of the association.

President—election of.

§ 5. Within ten days 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; and they shall proceed to the election of a president from their own body, a secretary, who shall be sworn by some justice of the peace to faithfully discharge his duty, and who shall record this charter and the by-laws and the proceedings and all votes of the corporation, in a book kept by him for that purpose, who shall give bond to such an amount as the president and directors shall direct; and the board shall appoint all other officers and agents as to them shall seem necessary.

Other officers, agents, etc.

Calls for stock.

§ 6. The corporation shall have power to call such portion of the stock subscribed every sixty days as they may think proper, to be paid at such time and place as they may designate, by giving thirty days' notice to each stockholder, in writing, or publishing the same in some newspaper in said county, in which shall be specified the amount required on each share, and the time and place of payment; and if any stockholder shall neglect or refuse to pay such call within ten days after the time named for such payment, the corporation may bring suit against any delinquent for the amount due and called for, in any court of competent jurisdiction, and recover the same, with ten per cent. interest per annum; and if the amount can not be made on execution, or if said delinquent is out of the state, then the corporation may, by an order on their books, declare such stock forfeited to the association, with whatever amount may have been paid thereon; and such delinquent shall forfeit all his rights as a stockholder.

Neglect to pay in stock.

Indebtedness.

§ 7. The said directors shall have power to borrow money, for the use of said corporation, and secure the payment of the same by mortgage, or otherwise, upon the corporate property.

By-laws.

§ 8. The president and directors shall have power to make and establish all such by-laws, rules and regulations as shall be necessary for the payment or collection of the subscription to this stock or the transfer of the same; and of the property that may in any other way concern the management and direction of the interests and affairs of said corporation.

§ 9. This act shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Illinois Soldiers' Capital Monumental Home Association. In force Feb'y 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Richard J. Oglesby, John Williams, Geo. N. Black, Samuel H. Melvin, Chris. C. Brown, John S. Bradford, I. N. Haynie, James H. Beveridge, John W. Bunn, James C. White, Abr. T. Stone, John M. Palmer, N. Bushnell, James M. Ball, Jesse W. Fell, R. M. Hough, and John A. Logan, all of the state of Illinois, be and they are hereby incorporated, by the name and style of "The Illinois Soldiers' Capital Monumental Home Association;" and by that name shall be known and called; and shall have perpetual succession; may contract and be contracted with, sue and be sued, plead and be impleaded, defend and be defended against, in any and all the courts of this state and of the United States.

Corporators.

Corporate name and powers.

§ 2. It shall be lawful for said corporators, or a majority of them, within sixty days after the passage of this act, to meet at any place selected by them or agreed upon, and then and there to choose from among themselves a board of directors for said corporation, consisting of not less than seven nor more than thirteen, a majority of whom shall reside in the county of Sangamon, and state of Illinois, and who, when chosen, may provide a common seal, may elect one of their number president, another vice president, another secretary, and another treasurer, and fix the term of their tenure of office, and designate and prescribe their duties; they may also adopt such by-laws and regulations for their good government as they may deem consistent with the objects of their incorporation, and not inconsistent with the laws of this state, and by which, when adopted and published, all the members of such incorporation shall be governed. Vacancies in said board of directors may be filled by the said corporators or their successors, and vacancies in the number of said corporators may be filled by the directors from among those subscribing funds to said corporation.

Appointment of directors.

Officers.

Vacancies.

§ 3. The object and purpose of said incorporation is declared to be to erect, construct, complete and maintain a Soldiers' Monumental Home, at or within the immediate vicinity of the capital of this state, and, for this purpose, and to enable them to accomplish the same, said incorporation is hereby empowered to buy, sell and hold real estate and to take the same, hold or dispose of the same, as natural persons might under the laws of this state; they may, also, accept of any gift, grant or donation of money or other personal property or real estate and appropriate the same to said purpose, in the manner deemed most benefi-

Object and purpose.

cial to said institution; they shall also be empowered to select a location for the buildings of said home; may agree upon form thereof; and erect, construct and complete the same, in whatever manner is deemed best for said purpose by them.

Further objects

§ 4. The object of said institution, when completed, is declared to be to provide for the future welfare and comfort of the deserving soldiers of this state, and to secure for them, as nearly free of expense as possible, a home, as a grateful tribute from the people, rendered for their valor and sacrifice in the late war to suppress the rebellion; and, for the purpose of promoting this object, this act shall be deemed a public law, and shall be liberally construed by all the courts of this state.

§ 5. This shall be in force from and after its passage.
APPROVED February 25, 1867.

In force March 8, 1867. AN ACT to enable the citizens of Whiteside county to build a Soldiers' Monument.

Subscription and appropriation of money.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of Whiteside county, in the state of Illinois, be and they are hereby authorized and empowered to subscribe and appropriate a sum of money, not exceeding ten thousand dollars, for the purpose of aiding and assisting the "Young Men's Soldiers' Monument Association, of Whiteside county," in erecting a monument to the memory of the deceased soldiers of said county.

Tax.

§ 2. That said board of supervisors are hereby empowered to levy a tax upon the taxable property of said county of Whiteside, sufficient to meet the said appropriation or subscription; which said tax shall be levied and collected in the ordinary way of levying and collecting taxes.

§ 3. This act shall be in force from and after its passage.

APPROVED March 8, 1867.

In force Feb'y 13, 1867. AN ACT to provide for building a Soldiers' Monument in McLean county, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of McLean county is hereby autho-

rized to make an appropriation, not exceeding fifteen thousand dollars, to be levied and collected as other taxes in said county, to build a soldiers' monument.

§ 2. That said soldiers' monument shall be located and built as the board of supervisors of said county shall direct.

§ 3. This act to take effect and be in force from and after its passage.

APPROVED February 13, 1867.

AN ACT to revive and continue in force an act therein named.

In force June 12, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act approved February 8th. 1853, entitled "An act to incorporate the Kaskaskia River Navigation Company," as amended, is hereby declared to be in full force and effect; and the said company shall have perpetual succession; shall have, use and enjoy all the rights, powers and immunities granted and given in said act of incorporation, as amended, for the period therein specified, from and after the passage of this act.

Kaskaskia river navigation company.

§ 2. The directors named in the fifth section of the act to which this is an amendment, or a majority of them, or their legally constituted successors, may open books and receive subscriptions to the capital stock, and call an election for directors, whenever one-half of said capital stock is subscribed, first giving notice of such election and that said books would be opened, as provided in said act, as amended.

Directors

§ 3. This act is hereby declared to be a public act, and to be in force from and after its passage.

This bill having remained with the governor from the last day of the regular session of the twenty-fifth general assembly, who, by their adjournment, prevented its return within ten days, and not having been returned on the first day of the meeting of the general assembly, after the expiration of said ten days, has become a law, and is filed in this office, this 12th day of June, A. D., 1867. SHARON TYNDAL, Sec'y of State.

AN ACT to incorporate the Rock River Navigation and Water Power Company.

In force February 26, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That David B. Sears, George W. Sears and Louis A. Grant, and their associates and successors, are hereby constituted a body politic and corporate, by the name of "The Rock River Navigation and Water Power Company;" and, by that

Corporators.

Corporate name and powers.

name, may sue and be sued, plead and be impleaded, in all courts of law and equity, and have all the rights and powers incident to a corporation. Said corporation may have a common seal, and alter and renew the same at pleasure; and may purchase and hold real and personal property necessary to promote the business and interests of the corporation.

Capital stock. § 2. The capital stock of said company shall be one hundred and fifty thousand dollars, and may be increased to any amount not exceeding one million dollars, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and be transferable as said company, by its by-laws, may prescribe. The stockholders shall be personally liable for the debts of the company, to an amount equal to the amount of stock by them respectively subscribed and not actually paid in.

Shares transferable.

Stockholders — liabilities of.

Construction of dams.

§ 3. Said company may construct a dam or dams across Rock river and the sloughs thereof, at the Lower Rapids of said river, in Rock Island county, in sections fourteen and twenty-three, township seventeen north, range two west of the fourth principal meridian, and construct a canal and lock or locks on either side of the main channel of said river, for the purpose of making said river navigable by said rapids, and of developing, improving and using the water-power. The title to the land on Vandruff's island, in said section fourteen, taken by the state of Illinois under the law relating to internal improvements, and the rights of the state there, are hereby granted and transferred to and vested in said company: *Provided, however,* that the same shall revert to the state if said company shall not commence work within two years, and within six years from the passage of this act make said river navigable by said Lower Rapids, by the construction and completion of a canal and lock or locks of sufficient width and depth for the convenient passage of steamboats and other water craft drawing not more than three feet of water: *And, provided,* that the dam herein authorized to be constructed across said Rock river shall not be higher than shall be necessary to raise the water at the head of said rapids, at Carr's island, enough for the safe and convenient passage, at low water, of steamboats and other craft drawing three feet of water. And said company may construct a dam across the chute or slough, between Carr's island and Vandruff's island, and prevent the water from passing through said chute from the main stream into the slough at Camden Mills, in high water, and place a gate thereon, to allow the water to flow into said slough at low water.

Proviso.

Proviso.

Exclusive water privileges.

§ 4. Said company shall have the exclusive control and ownership of the water power created or developed by the construction of said dam or dams, canal and lock or locks, and may use the said water power or sell, let or contract it,

or any part of it, to others. And said company may construct such steamboats and water craft, and such offices, shops, mills, machinery and works, as may be deemed necessary or expedient for the purposes of navigation and the development, improvement and use of said water power and for the business of said company.

§ 5. Said company shall have authority to enter upon and take land necessary for the construction and maintenance of said dam or dams, canal, lock or locks, and for wharves, piers and landing places, and for any other purpose necessary and incident to the navigation of said river; and when any land is so taken, said company shall pay for the same such price as may be agreed upon between said company and the owner or owners thereof; and in case said company shall fail to obtain said land by purchase or agreement said land may be taken and condemned; and the damages for taking the same shall be ascertained and recovered and paid in the manner prescribed by an act of the state of Illinois, approved February 13th, 1855, and entitled "An act to amend an act entitled an act for the improvement of the navigation of Rock river, and for the production of hydraulic power," approved February 5th, 1849, and the provisions of said act, approved February 13th, 1855; and the rights therein conferred are extended and made applicable to and conferred upon the Rock River Navigation and Water Power Company. And should any land be flowed or be liable to flow, by reason of the dam or dams of said company, it shall be lawful for said company to enter upon said land and construct levees or embankments, for the purpose of preventing flowage. And the damage, if any, caused by the construction of said levees or embankments, shall be ascertained and paid for in the manner herein prescribed in cases where land is flowed by reason of the construction of dams.

§ 6. Said company shall keep said canal and lock or locks in good repair, and shall have power to establish, regulate and collect a uniform rate of toll upon all steamboats and craft passing through said canal or lock or locks, and to distrain and detain them until said toll is paid; or said company may sue for and recover said toll and costs before any court of competent jurisdiction; and said company shall have a lien upon all steamboats and craft for the amount of said toll and judgments until paid: *Provided*, that the legislature may, at any time, establish, change or regulate the rate of said toll: *Provided, further*, that if the state, at any time hereafter, shall improve the navigation of said Rock river, and by the construction of canals and locks make said river navigable by the rapids above said Lower Rapids, the legislature may require said company to make its canal and lock or locks of a capacity for navigation equal to the capacity of the canals and locks constructed by the state, so that the navigation of said river shall

Water craft.

Lands taken for wharves, etc.

Price of lands.

Damages.

Levees.
Payment for damages.

Repairs of canal and locks.

Rates of toll.

Costs.

Proviso.

- in no wise be obstructed or injured by insufficient canals or locks at said Lower Rapids: *And provided further*, that the state expressly reserves the right to take possession and control of said dams, canal and lock or locks at any time, either before or after their completion, by first paying to said company the amount expended in the construction, enlargement and repairs thereof; but the water-power created or developed by the construction of said dams, canal and lock or locks, shall be and remain the property of said company, the same as though the state had not taken possession of said works. When the state shall take possession of said dams, canal and lock or locks, the state shall thereby assume to keep them in good repair and assume all the liabilities thereafter resulting from them. And should the state take possession before the time limited in this act for the completion of said works, the state shall complete the same, and said company shall be relieved from any liability or forfeiture by reason of not completing the said works within the time herein prescribed. And should the state, after having taken possession of said works, abandon them, said company may complete and sustain them, and have all the rights and liabilities created by this act the same as though the state had never taken possession.
- § 7. The corporators herein named shall constitute a board of commissioners to receive subscriptions for the capital stock of said company; and said commissioners may open books of subscription and take such measures for the obtaining of subscriptions as they may think fit. When one hundred thousand dollars of the capital stock shall have been subscribed for, said company may organize and elect officers. Said commissioners shall call a meeting of the stockholders at some convenient place in said Rock Island county for the purpose of electing a board of directors, consisting of three, five or seven stockholders. Said commissioners shall be the inspectors of said election, and shall furnish to each stockholder elected a certificate of his election, which shall be conclusive evidence of the fact.
- § 8. The board of directors shall have the general management of the business of said company. They shall elect one of their number president and shall elect or appoint a secretary and treasurer, and such other officers, clerks and agents as they may deem proper; shall fix and regulate all salaries; and shall require bonds for the faithful performance of duties from such officers as they may think fit. Said directors may fill vacancies in their own number, and may establish and promulgate a code of by-laws for the guidance of said company, not inconsistent with the constitution and laws of this state and the United States. But the action of a meeting of the stockholders shall be necessary to increase the capital stock.
- § 9. There shall be an annual meeting of the stockholders at the office of the company, on the first day in
- Proviso.
- Possession by the state.
- Company relieved from liabilities, etc.
- Abandonment by the state.
- Subscription commissioners
- Organization.
- Election of directors.
- Certificates of election.
- General management.
- Meetings of stockholders.

March, each year; but when the first day of March shall occur on Sunday, said annual meeting shall be held on the second day of March; and no notice of said annual meeting shall be necessary. And should said annual meeting, for any cause, fail to be held, as herein provided, or should said meeting fail to elect a board of directors, the rights of said company shall not thereby be lost or forfeited, but the business may all be done at a special meeting called for that purpose.

§ 10. The board of directors may, and upon the written application of the stockholders representing a majority of the stock, shall call a special meeting of the stockholders, stating the time, place and object of said meeting. Said special meeting shall be called, by giving each stockholder six days' personal notice, or by publishing notice thereof three times in any paper printed and published in said Rock Island county, the last of which publications shall be at least ten days before said meeting. The sending of written notices, by mail, directed to any stockholder, at his last and known post office address, at least ten days before said meeting, shall be taken and held to be six days' personal notice.

Special meet-
ings.

§ 11. Votes at stockholders' meetings may be cast by the stockholders in person or by proxy; and each stockholder shall be entitled to one vote for each share owned by him and standing in his name. A majority of the whole stock subscribed for and represented, in person or by proxy, shall constitute a quorum to do business; and a majority of the votes cast shall decide the question voted on.

Manner of vo-
ting at meet-
ings.

§ 12. All officers elected, except those elected to fill vacancies, shall hold their respective offices for one year and until others are elected and qualified; and no officer elected subsequent to said first election shall be deemed qualified until he shall notify the secretary, in writing, of his acceptance of said office, nor until he shall file with the treasurer or board approved by the directors, when such board shall be required; and it shall be the duty of the secretary to notify in writing, all officers of their election immediately after their election. All acts and duties required in this act to be done by the board of commissioners, or by the board of directors, shall be lawful and binding, if done by a majority of said respective boards.

Term of office.

Qualification of
officers.

Lawful acts.

§ 13. All conveyances of real estate made in the name, and under the seal of said company, and signed and acknowledged by the secretary, and countersigned by the president, shall be valid in law.

Conveyances
valid in law.

§ 14. The directors of said company may call for payments of the capital stock subscribed for at such time or times and in such sum or sums as they shall deem for the best interests of the company; and if any stock subscribed for shall remain unpaid two months, after call duly made, said directors may, if no payment has been made upon

Payment of
stock.

- the subscription of said delinquent subscriber, declare said stock forfeited to the company; and said stock shall be forfeited to said company, and the directors may receive other subscription for the same. But if a partial payment has been upon the subscription of such delinquent subscriber, said directors may sell said stock so subscribed at public auction, after having given ten days' notice of such sale in such manner as the by-laws may direct; and such sale shall be valid to transfer the stock of such delinquent subscriber; and the costs of notice and sale shall be paid out of the amount received upon said sale, and one-tenth of the balance of the amount received upon said sale shall be forfeited to said company, or said company may sue for and recover, with costs and interest, the amount due, upon any call duly made before any court of competent jurisdiction.
- Delinquents.**
- Forfeitures.**
- Suits at law.**
- Indebtedness.** § 15. Said company is authorized to borrow money for the purchase of land and the construction of its dams, canal or canals, lock or locks, and mortgage its property to secure the same. Said company may, also, issue its bonds to an amount not exceeding one hundred thousand dollars at any one time, bearing interest not exceeding ten per cent., which bonds shall be a lien upon all the property of said company for the payment thereof: *Provided*, that the indebtedness of said company shall not at any time exceed the amount of capital stock subscribed for and actually paid in.
- Limitation.** § 16. This act shall be a public act, and take effect from and after its passage, and the rights herein conferred shall be forfeited if said company shall not organize and commence operations within two years.

APPROVED February 25, 1867.

In force March 9, 1867. AN ACT to incorporate the Fox River Navigation and Manufacturing Company.

- Corporators.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Joseph Jackson, Samuel M. Rowe, Levi Spradling, Levi H. Rood, Simeon Guilford, Washington Bushnell and William P. Peirce, or such of them and such other persons as may be associated with them, by subscribing to the capital stock of a company, as hereinafter authorized, are hereby created a body corporate and politic, by the name of "The Fox River Navigation and Manufacturing Company;" and, by that name, shall have perpetual succession, and be capable of contracting and being contracted with, of suing and being sued, of acquiring, either by purchase or under the provi-
- Corporate name and powers.**

sions of this act, as hereinafter authorized, and of holding real estate and personal property, for the purpose contemplated and authorized by this act or in the discharge of debts due the said corporation, and of using and disposing of the same; may have a common seal, which they may alter at pleasure; and may make all needful by-laws for the government of the company, its officers and the management of its affairs, and may alter the same at pleasure; may appoint or provide for the election of such officers and agents as may be necessary, and prescribe the duties and liabilities of all the officers of said company, subject to the provisions of this act.

§ 2. The capital stock of said company shall be two hundred thousand dollars, which shall be divided into shares of one hundred dollars each; and said capital stock may be increased by the directors of said company to such an extent as they may deem necessary to effect the purposes of the corporation, as hereinafter set forth, and the same shall be subscribed for, taken and paid under the direction of the board of directors of said company at such times and places and in such manner as the said board of directors shall from time to time appoint and direct: *Pro-* Capital stock.
vided, that no assessment or installment upon said capital stock shall be deemed to be due and payable until notice of the time when and the place where the same is to be paid shall have been served personally on each stockholder or has been published by at least three insertions in one newspaper in the city of Ottawa—the personal notice or the first insertion being at least twenty days before the day on which the same shall be required to be paid; and no member of or stockholder in said company shall in any event be personally or individually liable to said company or to any creditor thereof for any other or greater sum than the amount of unpaid capital stock owned or held by him; and the said capital stock and the shares thereof shall be held and considered as personal property. Proviso.

§ 3. Said company is hereby authorized and empowered to enter upon and improve the navigation of that portion of Fox river, commencing at the head gate of the Fox river feeder of the Illinois and Michigan canal, and following the general course of said river to the village of Wellington, and with the authority to extend said improvements to Yorkville, Kendall county, if the interests of the company shall seem to require it, so as to admit of the easy passage of steamboats, tugs, barges and other water craft, at all usual stages of water, not drawing to exceed three feet, by the construction of dams, locks, or canals, by deepening the bed of said river, or by taking therefrom driftwood, snags, loose rocks or other obstructions to the safe navigation thereof, and, also, by removing from the banks and elbows or bends of said river the leaning or standing To enter upon.
Boundaries.
Improvement.

trees or other substances which hinder or obstruct the navigation of said river. It shall also be lawful for said company to build or purchase and own steamboats, tugs, barges and other water craft, adapted to the navigation of said river, and to engage in the general business of transportation with the same.

Directors.

§ 4. The persons named in the first section of this act are hereby appointed provisional directors of said company; and the said directors, or a majority of them, may meet at a time and place to be by them agreed upon and proceed to organize, by the election of one of them as president, to preside at the meetings of the board; and they may, also, appoint such other officers as may be deemed necessary:

Proviso.

Provided, that the board of directors shall consist of not less than three or more than seven members, as may be determined by the aforesaid provisional directors, and shall be elected annually, at a time and place to be fixed in the by-laws of the company, and that they shall hold their offices until their successors are elected.

Vacancy.

§ 5. Any vacancy which may occur in the board of directors, by death, resignation or otherwise, may be filled by appointment by the board until the next election; and in case of a failure to hold an election on the day fixed on in the by-laws the said board of directors and all their officers shall hold over until their successors are elected; and the president and secretary shall have power to call a special election for said purpose, giving ten days' notice thereof in one newspaper in the county of La Salle and posting a written notice of the same in at least three public places along the route of said improvement; and after the improvements shall have been extended or commenced in the county of Kendall all notices provided for in this act shall be also published in one newspaper in said county, for the same time and for the same purposes as they are by this act required to be published in the city of Ottawa or county of La Salle.

Notice.

Quorum.

§ 6. A majority of the board of directors shall constitute a quorum to transact business; and in all elections for directors or for other purposes, each share of stock shall be entitled to one vote, which may be given by the holder of such stock, by person or by proxy.

Payment of stock.

§ 7. The directors shall have power to determine the time, manner and proportions in which the subscribers shall pay the money due on their stock, and otherwise direct the business of the company, subject to the provisions of this act and the by-laws made in pursuance thereof.

Certificates of stock.

§ 8. The directors shall procure certificates of stock to be signed by the president and countersigned by the secretary, and shall deliver one to each stockholder. The stock may be transferred by assignment, to be entered on the books of the company by the owner of such stock assigned,

or his attorney duly appointed, and accompanied by a surrender of the certificate, on which other certificates may be issued accordingly: *Provided*, that stock that has not been paid up in full shall not be assigned, neither shall any paid up stock be sold, assigned or transferred for less than its par value without the consent of the directors. Proviso.

§ 9. In case of the assignment of any stock before the same shall have been paid up, according to the requirements of the directors, the assignee shall become liable for all the sums due on the stock assigned, and, as such, may be sued on the original subscription as if he had himself subscribed such stock. Assignments.

§ 10. It shall be lawful for said company, by their agents and servants, to enter on the said Fox river, and on the lands on either side thereof, to hold and use the same, so far as necessary for the objects herein provided for, and to use the timber, rocks, stone, gravel or earth that may be found thereon in the construction of their works, and to form, erect, make or set up any dams, locks, canals or other device whatever, by said company deemed most proper to improve the navigation of said Fox river, and most to subserve its commerce, whether the same be by slack water or otherwise, from the aforementioned head of the Fox river feeder, near Dayton, in La Salle county, to the village of Yorkville, in Kendall county: *Provided*, that said company shall pay the owners of lands occupied by them, as afore said, or from which materials be taken, as aforesaid, or which may be overflowed by the works by them constructed, the value of the lands so occupied, or the materials so taken, or the damage so done: *And, provided*, that the said value shall be ascertained or said damage estimated and compensation made in manner hereinafter provided. Powers conferred.

§ 11. The said company shall have the privilege of, and be entitled to use for manufacturing purposes, the water power from the said river, created by any dam, lock or canal or other works of said company, and may sell, in fee simple, lease or rent powers, lands and machinery to individuals or corporations, as may be deemed expedient; and may acquire, hold, own and enjoy such real estate in the vicinity of the water powers created by the construction of any dams, canals or other works and improvements contemplated under this act, as may be deemed suitable for the operations of this company and town or city improvements connected therewith, or any part thereof, with the rights and privileges accruing therefrom or in anywise appertaining thereto; may erect such buildings and machinery as they may deem expedient; may engage in the manufacture of cotton, woolen, hempen, flaxen or mixed or other goods, machinery or other manufactures; and may acquire, hold and enjoy such other real estate as they may be able to acquire by voluntary purchase, and as they may deem Proviso.

Water power.
Manufacturing.

Buildings and
machinery.

Real estate.

Mortgages.

Proviso.

Surplus water.

Condemnation
of lands.

Powers.

Tolls.

desirable, and may lay out the same as a town, or an addition to a town, into streets, alleys, blocks and squares, and sell and convey the same, or any part thereof, under such regulations and upon such conditions as the board of directors may prescribe; and said company may, also, take and hold such notes, mortgages and other choses in action or securities as in the transaction and business of said company may become necessary or convenient, and may collect, sue or assign the same. And the board of directors shall have power to declare dividends out of the actual profits of said corporation or from the sale of its real estate, water power or other property of the said corporation: *Provided*, that the use of said water power shall not impede the navigation of said river, and that the money arising from the sale or rent of said water power shall be applied to the benefit of the company. And if at any dam, lock or other point on said river there shall be a surplus of water, and only at such point, shall the company be authorized to erect the mills or machinery, as heretofore mentioned; and at such point or points it shall be the duty of said company to propose to purchase from the owner or owners of such parcels of the adjoining land as may be necessary for the full use, improvement and enjoyment of such water power. And should said company and the owner or owners of such lands be unable to agree upon the quantity of land to be taken or the price to be paid therefor, the same shall be condemned, estimated, fixed and determined under the provisions of an act, entitled "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, A. D., 1852; and when it shall be deemed necessary by the said company, for the purposes set forth in this act, to use, occupy or effect any lands, lots or water privileges of any other person or persons, it shall be lawful for said company to appropriate, use, occupy or effect the same on payment of a just compensation to the owner or owners thereof; and should said company be unable to agree with such owner or owners, the same shall be determined according to the provisions of the aforementioned act.

§ 12. It shall be lawful for said company, from time to time, to fix and regulate uniform rates of tolls on all boats or other water craft that may pass the improvements of said company and the amount to be charged as tolls at each lock, dam, canal or other improvement, on the different boats or other water craft aforesaid; and it shall be lawful for said company to enforce the collection of all tolls on the different boats or water craft passing through or over any of the improvements made by said company by suit in any court in the said counties of LaSalle or Kendall, having jurisdiction to the amount in controversy; and such suits may be by attachment under the provisions of chapter ten

of the Revised Statutes, entitled Attachments of Boats and Vessels," and act or acts amendatory thereof.

§ 13. To enable the aforesaid company to become fully and completely entitled to all the benefits and provisions of this act said company shall commence the aforesaid improvements within the period of five years from the passage of this act, and shall complete the same to the east line of LaSalle county, within the period of twelve years, so as to afford a complete passage, at all ordinary stages of water, to all steamboats, tugs, barges or other water craft drawing less than two feet of water. Time limited.

§ 14. The said Fox River Navigation and Manufacturing Company is hereby authorized to borrow, for the purposes of this act, any sum or sums of money, not exceeding five hundred thousand dollars in all, on a credit of not exceeding twenty years, and at any rate of interest not exceeding ten per cent. per annum, payable annually, and to execute and issue bonds for that purpose, and to secure the payment of the same by a mortgage on the said improvements. Borrow money.

§ 15. It shall be lawful for said company to construct and establish a depth of channel, for the passage of boats, not less than two feet, but may construct and establish said channel at any greater depth that the interests of the company or the public convenience may seem to require, not to exceed eight feet: *Provided*, that when the aforesaid company shall have completed the improvement of said river for a distance of eight miles from the head of the Fox river feeder of the Illinois and Michigan canal, so as to admit the passage, at all ordinary stages of water, of the line boats, such as are used on the said canal, then the trustees of the said canal shall be and are hereby empowered and authorized, in behalf of the state and under and by virtue of the powers in them vested by their deed of trust, to be caused to be made the same depth in the said Fox river feeder as already exists in their main canal, and to establish and collect thereon the same rates of tolls: *And, provided, further*, that as soon as said company shall satisfy the said trustees that the construction of said improvement is fully commenced and when the interest of said company require the passage of boats through said Fox river feeder, they shall cause the lock at the head of said feeder to be fully completed and placed in order for the passage of boats, and cause the removal of all obstructions to the navigation of said feeder from said head gate thereof to where it intersects the main canal, at Ottawa: *And, provided, also*, that said company shall have the privilege of boating over or through said feeder, free of tolls, all machinery necessary to the construction of said improvement or improvements, but all expense attending the lockage of such boats, from said feeder into said Fox river, shall be borne by the said com- Depth of chan-
nel.

Proviso.

Illinois and
Michigan canal

pany, until they have as aforesaid completed eight miles of the said improvement.

Interferences. § 16. No provisions of this act shall be so construed as to prevent or interfere in any manner with the construction of bridges without draw at such points as may be required or authorized by public travel and railroad purposes; nor shall the said company interfere with or obstruct any ferry now established or to be hereafter established by the board of supervisors of the county of LaSalle or Kendall: *Provided*, that any ferry so established, if obstructing the free passage of said river, shall provide for lowering its cable so as to allow the passage of boats over it, or shall place the same at a sufficient height above said stream to allow said boats to pass under the same; and any bridge hereafter constructed shall be placed not less than sixteen feet above the surface of the water at ordinary stages.

Obstructions. § 17. The works or improvements authorized by this act shall in no way obstruct or retard the supply of water necessary to feed the Illinois and Michigan canal.

Reserved privileges. § 18. The state reserves the right, through the general assembly, to restrict or limit the tolls to be charged by this corporation, whenever they shall deem them exorbitant.

§ 19. This act shall be taken and deemed to be a public act, and shall be in force from and after its passage.

APPROVED March 9, 1867.

In force Feb'y 22, 1867. AN ACT to amend an act entitled "An act to incorporate the Odd Fellows' Building Association of the City of Quincy," approved February 11, 1857.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That George W. Burns and Alexander E. Wheat be and the same are hereby made corporators, in lieu and stead of Augustus C. Marsh and Hiram Rogers, in said act named, who are deceased, to act in connection with the other and surviving corporators in said act mentioned, who, or a majority of them, are empowered to exercise the powers in said act granted, in the manner therein provided. And said corporation, when organized, may purchase, hold and convey grounds and erect buildings thereon, for any uses of said corporation, and for such purpose borrow money and secure the same by mortgage or deed of trust on such grounds and buildings and any property of said corporation.

Powers. § 2. This act shall take effect and be in force from and after its passage.

APPROVED February 22, 1867.

AN ACT to incorporate the Odd Fellows' and Masonic Hall and Orphan Asylum Association, of Sparta, Randolph County, Illinois. In force Feb'y 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in [the] General Assembly,* That M. S. McCorman, Cyrus A. Bradshaw and Gideon K. Carson, of Hope Lodge, No. 162 A. F. and A. M; M. G. Gorsuch, L. D. Burges and A. W. Johnson, of Staley Chapter, No. 103, R. A. M; C. J. Childs, John A. Wilson and W. S. Rigden, of Sparta Lodge, No. 52, I. O. O. F; and Wm. P. Askins, David Rigden and Lee Bottom, of Randolph Encampment, No. 55, I. O. O. F; all of the city of Sparta, Randolph county, and state of Illinois, their associates and successors, are hereby constituted and declared a body politic and corporate, by the name and style of "The Odd Fellows' and Masonic Hall and Orphan Asylum Association, of Sparta;" and by that name and style shall have perpetual succession; and shall be capable in law of contracting and being contracted with, suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts, either of law or equity, and in such other places and manner as may at any time become necessary; may have a common seal, and may alter and change the same at pleasure; and they and their successors may, also, by that name and style, be capable in law of purchasing, securing by gift or devise, and holding any estate, real or personal, of building upon and improving or selling and conveying the same, for the use and purposes of said association.

Corporators.

Name and style

Corporate powers.

§ 2. The capital stock of said association shall be ten thousand dollars, which may be increased by said association, if deemed desirable, to thirty thousand dollars, and shall be divided into shares of twenty-five dollars each.

Capital stock.

§ 3. The acts of said association, or of persons acting in behalf of said association, in organizing the same, in the election of trustees, in the purchase of grounds whereon to erect a building, in receiving subscriptions to a capital stock of said association, and in any other respect, not contrary to the constitution or laws of the United States or of this state, are hereby confirmed and legalized; and the subscriptions to the capital atock of said association are hereby declared legal and binding debts and collectable in law.

Confirmation of acts.

§ 4. The said association shall, in the month of April, eighteen hundred and sixty-eight, and in each and every year thereafter, elect three members as trustees for each lodge, chapter or encampment, represented and interested in and belonging to said association, who shall hold their offices until their successors are duly elected and qualified; and a majority of said trustees shall be a quorum for all

Trustees.

purposes, and shall be capable of transacting the business of the association.

Organization
and govern-
ment.

§ 5. The said trustees, when elected, as aforesaid, shall, at their first meeting, elect one of their number president; and the said president and trustees may meet, from time to time, at such time and place as they may appoint: *Provided*, that if not previously held by consent of a majority of said trustees, the first meeting of said board of trustees shall be held on the third Monday of April next after the passage of this act, at which meeting the said board of trustees shall prepare a constitution for said association, which constitution shall, as soon as practicable thereafter, be submitted to the several lodges, chapters or encampments interested in said association, for approval, amendment or rejection; and when a constitution shall have been approved by the said lodges, chapters or encampments, it shall be the constitution of the said association: *Provided*, the said constitution may be amended at any time thereafter, upon motion of said trustees and the approval of the said lodges, chapters or encampments; and the said trustees shall have the further power to make and establish all such by-laws, rules and regulations for the government of said trustees and the necessary officers of said association and for the transfer or payment of the stock of said association and the management of the affairs of said association, as may, from time to time, be deemed necessary, not inconsistent with the constitution and laws of the United States, this state or the provisions of this act.

Indebtedness.

§ 6. The said association shall have power to loan money belonging to the same and to borrow money in sums not exceeding two-thirds of the capital stock of said association, at any rate of interest not exceeding ten per cent., and to mortgage the property of said association to secure payment of money so borrowed.

Capital stock.

§ 7. The said association, by its said trustees, shall have power to issue shares in its said capital stock, at twenty-five dollars each, none of which shares shall be sold at less than par value—and to provide that the said shares shall bear interest at the rate of eight per cent. per annum, or at any rate not exceeding ten per cent. per annum, after the first day of January, A. D 1868, which interest shall be paid by the association on the Wednesday after the first Monday in January after the said interest shall become due. Nevertheless the said association shall have power, at any time, to redeem the whole or any part of said stock upon payment or tender of the amount of principal and interest due.

Property ex-
empt from
taxation.

§ 8. All the real estate held or acquired by the said association, on which they shall erect or cause to be erected a building or buildings, solely for the use of said association or charitable institutions, under the direction and patronage of said association, and the improvements thereon made,

are hereby exempt and shall forever be exempt from the payment of state and county taxes, so long as the same shall be used for the purposes above mentioned.

§ 9. This act shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Orphan Asylum for Southern Illinois, at Cairo, In force Feb'y 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Mrs. Corporators.

D. Hurd, Mrs. H. W. Wardner, Mrs. A. B. Fenton, Mrs. G. D. Williamson, Miss Jennie Sloo, Mrs. J. C. Rankin, Mrs. D. T. Parker, Mrs. A. B. Safford, Mrs. William Stratton, Mrs. Rachel Slack, Mrs. H. W. Webb, Mrs. J. M. Morrow, James C. Sloo, Daniel Hurd, Henry W. Webb, Henry H. Candes, Charles Galigher, A. B. Fenton, Samuel R. Hay, Alfred Commings, William J. Yost, John Olney, and Charles Latimer, and their successors, are hereby created a body corporate and politic, under the name and style of "The Orphan Asylum for Southern Illinois, at Cairo," and by that name shall have perpetual succession, with power to contract and be contracted with; sue and be sued; and to hold all kinds of property, real, personal and mixed, which said corporation may acquire by gift, grant, purchase, devise or otherwise; and to do and perform all other acts and things that may become necessary or advisable to carry out the purposes of said institution; and said corporation shall have power to dispose of, convey or mortgage its property at pleasure; to have and use a corporate seal, and to alter or change the same at pleasure; to make and alter by-laws for the government of such corporation, its officers and agents, not inconsistent with the laws of this state; and shall have and enjoy and may exercise all the powers, rights and privileges which other corporate bodies may do, for the purposes mentioned in this act.

Corporate name and powers.

§ 2. On the first Monday in March, A. D. 1867, or as soon thereafter as may be agreed upon by a majority of the corporators, an election shall be held at the asylum, in Cairo, for the election of twelve trustees, who shall hold their offices for one year, and until their successors shall be elected and qualified. Election of officers.

§ 3. The trustees shall have the general supervision and management of said asylum, and shall have power to elect one of their number president, and to remove him at Trustees.

pleasure, and to prescribe the number of trustees to be elected after the first election, and fix their term of service and the mode and manner of election; to appoint such officers, agents, teachers and matrons as they may think proper, and prescribe their duties; and to provide for the admission and expulsion of members of said asylum.

Object and purposes.

§ 4. The objects and purposes of this corporation shall be the relief, nurture, maintenance and education of orphan children of soldiers and sailors, and such other children as may come under the control of said asylum. All orphan children, who have no guardian or sufficient means of support, may be taken charge of by said asylum. Any father or mother (the father being absent or dead) shall be authorized to place his or her child or children under the charge of said asylum. The county court or county judge of any county in the state, instead of placing a child under eighteen years in the poor house or binding out such child, as now provided by law, may commit such minor to the care and custody of said asylum; and the trustees are hereby made the guardians of all children who may lawfully come into the custody of said asylum, and shall have the care, custody and control of such minors until they arrive at the age of eighteen years, if females, and twenty-one years, if males. And said trustees shall have power to indenture any of such minors, during their minority, to any suitable person, for the purpose of learning any honorable trade or employment; and, in all cases, shall provide in such indentures for the receiving the rudiments of a good English education.

Constitution and by-laws.

§ 5. The constitution and by-laws of the Protestant Orphan Asylum Association, of Cairo, Illinois, not inconsistent with this act, shall be and remain the rules and regulations, constitution and by-laws of the corporation hereby created, until repealed or changed by said corporation; and all property, rights, credits and interests of said association are hereby vested in the corporation hereby created, with full power in said corporation to maintain actions for the recovery of any such property, rights, credits or interests, if necessary, whether the same shall have accrued to said association by voluntary subscription or otherwise.

§ 6. This act shall be a public act, and take effect and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Canton Driving Park Association.

In force Feb'y
21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James H. McCall, Daniel W. Vittrim, jr., William Babcock, Townsend Atwater, Andrew B. Hulit, Amos C. Babcock, William Hulit, George W. Wright, Nathaniel Vittrim, John McCurn and Charles T. Heald, and their associates and successors, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Canton Driving Park Association;" and by that name they and their successors shall be capable in law of contracting and being contracted with, suing and being sued, defending and being defended, in all matters whatsoever, with full power to acquire, hold, possess, occupy and enjoy all such real estate as may be necessary and proper for the construction, extension and usefulness of the grounds, works and buildings of said association, and for the purpose of carrying out the intention and design of said association, and for the management and good government of the same; and they may have a common seal, and the same may alter and renew at pleasure.

Corporators.

Name.

Powers, etc.,

§ 2. The corporation hereby created shall have full power to acquire, hold, occupy and enjoy real estate, at or near Canton, in county of Fulton, not to exceed one hundred acres, and not to exceed in value thirty thousand dollars, and upon the same to erect all the necessary buildings, machinery and improvements that are used or required for the purposes of an agricultural and mechanical fair, and suitable and proper tracks for the exhibition of horses and other animals, under such rules and regulations as shall be prescribed by said association; and that this corporation shall have all the rights and privileges and the same protection as is by law now granted to county agricultural and mechanical fairs, in addition to the powers herein specifically created.

Possession of
real estate.

§ 3. The capital stock of said association shall not exceed thirty thousand dollars, to be divided into shares of one hundred dollars each, to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for the regulating the concerns of said association as they shall think proper and necessary respecting the management and disposition of the stock, property and estate of said association.

Capital stock.

§ 4. The affairs of said association shall be managed by a board of directors, to consist of not less than five nor more than eleven, who shall be chosen at the annual meeting of the association, which shall be held on the first Monday in January.

Directors.

Elections.

§ 5. At all elections of said association, each stockholder shall be entitled to one vote for each share he may hold.

§ 6. The persons herein named as incorporators shall constitute the first board of directors. They may elect one of their number as president, and shall elect a secretary and treasurer, which treasurer shall give bond for the faithful discharge of the duties of his office, in such sum, and with such sureties as a majority of the directors shall require.

Rules—by-laws.

§ 7. The directors shall have power to change the time of holding fairs, and make all needful rules and by-laws for the government of said association.

§ 8. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED February 21, 1867.

In force Feb'y 27, 1867. AN ACT to provide for the location, improvement and regulation of a park, for the towns of South Chicago, Hyde Park and Lake.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That five persons, who shall be designated by the governor, and the judges of the supreme court of the state of Illinois, or a majority of said judges, at the April term, A. D. 1867, or at any succeeding term after the certificate of the county clerk of the county of Cook has been filed in the office of the clerk of said supreme court for the third grand division, as required by the 17th section of this act, be and they are hereby appointed a board of commissioners, and, together with their successors, shall constitute a board of public commissioners, for the towns of South Chicago, Hyde Park, and Lake, and be known under the name of "The South Park Commissioners." Such of said commissioners as shall accept such appointment shall, within thirty days of their notification of their appointment, notify in writing the clerk of said supreme court of said third grand division of such acceptance; and in the event of the failure, for any reason, of any one or more of the designated commissioners to notify said clerk, his or their place in said commission shall be thereby vacated; and it shall be the duty of a majority of the commissioners so accepting to nominate to said judges some suitable person or persons to fill the place of the person or persons so failing to accept; which nomination, if confirmed by said judges or the majority of the same, when accepted by such nominee or nominees, shall constitute such person so accepting a commissioner under this act; and a majority of said commissioners shall so continue to nominate until the said board shall consist of five persons; and said commis-

sion so constituted shall have all the power and authority in and by the act given to said board of park commissioners for the towns of South Chicago, Hyde Park and Lake. Each of said commissioners, before entering upon the duties of his office, shall take an oath to well and properly discharge the duties of the said office for the interest of the public; which oath shall be reduced to writing and subscribed by him and filed in the office of the county clerk of Cook county.

Power and authority.

Oath of office.

§ 2. As soon as convenient after the said board shall be constituted, as aforesaid, the members thereof shall decide, by lot, at a meeting to be called by any three of them, as to the respective terms for which he shall hold his office. The number of lots shall equal the number of commissioners, and the person drawing the longest term shall serve for five years from the first day of March, one thousand eight hundred and sixty-seven; the one drawing the next shall serve for four years from said date; the one drawing the next shall serve for three years from said date; and so on, until the term of each one of said commissioners shall be definitely determined—each one serving for the length of time inscribed on the lot drawn by him—the last of said commissioners serving for the term of one year, only, from said first day of March, one thousand eight hundred and sixty-seven. As soon as the term of office of said commissioners shall be determined, as aforesaid, said board shall organize, by selecting one of their number as the president, and shall choose a secretary, who shall not necessarily be a commissioner, and who shall hold his office until his successor shall be appointed, as hereinafter provided. The said board of commissioners shall adopt a seal, and alter the same at pleasure; shall keep a complete record of all their proceedings and transactions, which shall be open at all times for the inspection of the public. The said commissioners shall receive no compensation for their services, except the president of said board, who may, in the discretion of said board, have and receive such compensation as may be fixed, as hereinafter provided. All vacancies occurring in said board shall be filled by persons nominated to such places by a majority of the board in office when such vacancy or vacancies shall occur, and confirmed by the superior court of Chicago. Said board of commissioners shall be a body politic and corporate, and shall have and enjoy all the powers necessary for the purposes of this act.

Term of office.

Organization.

Compensation.

Vacancies.

Officers.

§ 3. The president and secretary shall be elected, annually, by said board, at the annual meeting thereof, and shall receive such salary for their services as the said board may, from time to time, determine.

§ 4. The said commissioners are by this act authorized and empowered and shall within ninety days from and after their organization, as aforesaid, select such land, in the said

Authority and powers.

town of South Chicago Hyde Park or Lake, in the county of Cook, aforesaid, not exceeding in area one thousand acres, as may to them seem fit and proper for the purposes of a public park, and, by their name, to take the title thereto, by purchase, gift, devise or condemnation, as hereinafter provided, to be held by them and their successors, in trust for the health and recreation of the people, and to inclose, improve, manage and control the same.

Right of way.

§ 5. In case the said commissioners can not agree with the owner or owners, lessees or occupants of any real estate selected by them, as aforesaid, they may proceed to procure the condemnation of the same in the manner prescribed in the act of the general assembly of the state of Illinois, entitled "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, 1852, and the acts amendatory thereof the provisions of which said act and the several acts amendatory thereof are hereby extended to the park and park commissioners to be created by virtue of this act.

§ 6. When the title to the land selected for such park, as herein provided, shall have been acquired by said commissioners, by gift, purchase, condemnation or otherwise, it shall be the duty of such commissioners to make, acknowledge and file for record in the office of the recorder of deeds of Cook county a map, showing the said land, with correct description, including section, township and range.

Park assessors.

§ 7. As soon as the amount required for the purchase or condemnation of the grounds selected for the said park shall have been ascertained by said commissioners they shall apply to the judge of the circuit court in the seventh judicial circuit for the appointment of three disinterested freeholders of the county of Cook as park assessors. The commissioners shall give notice in one or more of the daily newspapers published in the city of Chicago, of the time when such application will be made, and all parties interested may appear and be heard by the said judge touching such appointment. The said assessors shall proceed to assess the amount

Publication of applications.

Assessments.

so ascertained upon the property in the towns of South Chicago, Hyde Park and Lake, in Cook county, deemed benefited by reason of the improvement occasioned by the location of said park, as near as may be, in proportion to the benefits resulting thereto. Upon entering on the duties of their office the said assessors shall make oath before the clerk of the said circuit court faithfully and impartially to discharge the duties of their office. They shall give at least ten days' notice in one of the said daily papers of the time and place of their meeting for the purpose of making said assessment, and may adjourn such meeting from time to time until the same shall be completed. In making the said assessment, the said assessors shall estimate the value of the several lots, blocks or parcels of land deemed bene-

Valuation of lands, etc.

fited by them, as aforesaid, and shall include the same, together with the amount assessed as benefits in the assessment rolls. All parties interested may appear before the said assessors and be heard touching any matter connected with the assessment. When the same shall be completed it shall be signed by the assessors and returned to the said circuit court, and shall be filed by the clerk thereof. The assessors shall thereupon give notice in one of the said daily papers of the filing of said assessment roll, and that they will on a day therein named, apply to the said circuit court for confirmation of the same, which said notice shall be published at least ten days before the time fixed for such application. Said circuit court shall have power to revise, correct, amend or confirm said assessment, and may make or order a new assessment. All parties interested may appear before said circuit court, either in person or by attorney, when such application shall be made, and may object to said assessment, either in whole or in part: *Provided*, all objections shall be in writing, and shall be filed at least three days before the time fixed for the application, and shall specify the lot, block or parcels of land, on behalf of which objection is made. After the confirmation of the said assessment, the clerk of said circuit court shall file a copy thereof, under the seal of the said court, with the clerk of the county court of Cook county. Ten per cent. of the amount so ascertained shall be due and payable annually, and shall be a lien upon the several lots, blocks and parcels of land assessed for benefits, as aforesaid; and the clerk of said county court shall include in the general warrants for each year, until the whole sum shall be paid, for the collection of state and county taxes, in the said towns of South Chicago, Hyde Park and Lake, ten per centum of the said assessments in an appropriate column, to be termed "South Park Assessment," with the amount to be collected opposite the several lots, blocks or parcels of land assessed, as aforesaid; and like proceedings, in all respects, shall be had for enforcing the collection of the same as is now provided by law for the collection of state and county taxes. The money collected under the provisions of this section shall be paid to the treasurer of Cook county and be held by him in the same manner and be subject to the same control and direction as provided in this act for other moneys belonging to said corporation.

Signing and
filing of.

Confirmation of

Objections to.

Liens.

Warrants.

Collection of.

Disposition of
moneys.

§ 8. For any deficiencies occurring through acquiring title to said park and for the payment of the expense of inclosing and improving the park herein provided for, and the expenses, disbursements and charges in the premises, the said commissioners shall have power to loan or borrow from time to time, for such time as they shall deem expedient, a sum of money not exceeding one million of dollars, and shall have authority to issue bonds, secured upon the

said park and improvements, which bonds shall issue under the seal of said commissioners and shall be issued by them, or a majority of them and by the secretary of said board, and bear interest not exceeding ten per cent. per annum. And it shall be the duty of said commissioners to keep an accurate register of all bonds issued by them, showing the number, date and amount of each bond, and to whom the same was issued; and said register shall at all times be open to the investigation of the public; and for the payment of the principal and interest of which bonds the said park and improvements shall be irrevocably pledged.

Interest—bonds § 9. The said board of park commissioners shall, annually, on or before the first day of December, in each year, transmit to the clerk of the county court of Cook county an estimate, in writing, of the amount of money, not exceeding in any one year two hundred thousand dollars, necessary for the payment of the interest on the bonds so issued by said board—and that, in addition thereto, will be required for the maintenance and government of said park during the current year. And the said clerk shall proceed to determine what per cent. said sum is on the taxable property of said towns, according to the several assessors' returns for the respective year, and shall, in the next general tax warrants for the collection of state and county taxes in said several towns, set down the amount chargeable to the several persons, corporations, lots or parcels of ground, in a separate or appropriate column, and the collectors, respectively, shall proceed to collect the same in the manner now provided by law for the collection of state and county taxes; and all the provisions of law in respect to the collection of state and county taxes and proceedings to enforce the same, so far as applicable, shall apply to said assessment and taxes.

Rates of.

Collection of.

Funds.

The said sum of money shall be retained by the treasurer of the said county of Cook, to the credit of said board of park commissioners, and shall be drawn by said board from the county treasury by a warrant signed by the president and secretary of said board and countersigned by an auditor or comptroller, who shall be one of said board, to be appointed by said board, and in no other way—the appointment of such auditor or comptroller having been first duly certified to by such president and secretary and filed in the office of the said treasurer of Cook county.

Vacation and closing up of roads, etc. § 10. It shall be lawful for the said commissioners to vacate and close up any and all public roads or highways, excepting railroads, which may pass through, divide or separate any lands selected or appropriated by them for the purposes of a park, and no such road shall ever be laid out through said park, except such as the said commissioners shall lay out and construct.

Liabilities of commissioners § 11. No one of the said commissioners shall be interested, either directly or indirectly, in any contract entered

into by them with any other person, nor shall they be interested, directly or indirectly, in the purchase of any material to be used or applied in and about the uses and purposes contemplated by this act. And it shall be a misdemeanor for a commissioner to be directly or indirectly in any way pecuniarily interested in any contract or work of any kind whatever connected with said park. Said commissioners shall give bond in the penal sum of twenty-five thousand dollars, each, with one or more sureties, to be approved by the judges of the superior court of Chicago, to the treasurer of Cook county, conditioned for the faithful discharge of their duties under this act.

§ 12. The said commissioners, or either of them, may be removed from office by the judges of the superior court of Chicago, upon petition presented to them in term time or in vacation by one hundred freeholders of said towns of South Chicago, Hyde Park and Lake. If it shall appear, after hearing and proof before said judges, that the said commissioners or either of them have been guilty of misdemeanor or malfeasance in office under this act, and if the said judges shall remove any two or more of said commissioners from office for any cause before the expiration of their term of office, they are hereby authorized and empowered to appoint others in their stead, who shall fill such offices for and during the unexpired term of such commissioners so removed.

§ 13. The said board shall have the full and exclusive power to govern, manage and direct said park; to lay out and regulate the same; to pass ordinances for the regulation and government thereof; to appoint such engineers, surveyors, clerks and other officers, including a police force, as may be necessary; to define and prescribe their respective duties and authority, fix the amount of their compensation, and, generally, in regard to said park, they shall possess all the power and authority now by law conferred upon or possessed by the common council of the city of Chicago in respect to the public squares and places in said city.

§ 14. The office of any commissioner under this act who shall not attend meetings of the board for three successive months after having been duly notified of said meetings, without reasons satisfactory to the board or without leave of absence from said board, may, by said board, be declared vacant.

§ 15. The real and personal property of said corporation shall be exempt from taxation.

§ 16. No part of said park shall be laid out north of Douglas place, west of Michigan avenue, nor south of Junction avenue, nor east of Cottage Grove avenue: *Provided*, that whenever the piece of land known as the Reform School property, and now occupied by the Reform School and grounds, shall cease to be used for the purposes of such re-

Removal of
commissioners

Exclusive pow-
ers of.

Vacation of
office.

Tax exemption

Location of
park.

form school, the same may be taken by gift, purchase or condemnation, as herein provided; but Lake View avenue shall not be obstructed or interfered with: *Provided, also*, that the said commissioners may select and acquire for such park, by gift, purchase or condemnation, a strip of land, two hundred feet in width, north of and adjoining the north line of Elm street, in the town of Hyde Park, and also two hundred and fifty feet in width, south of and adjoining the south line of said Elm street, and extending from Cottage Grove avenue to Lake Michigan; but said Cottage Grove avenue, Van Buren, Adams and Washington or Hyde Park streets, in said town, shall not be obstructed or interfered with: *Provided, also*, that nothing in this act shall be construed to prohibit or prevent the said commissioners from selecting any lands without the limits herein prescribed, if the title to the same may be acquired otherwise than by condemnation.

Act to be submitted to legal voters.

§ 17. This act shall be submitted to a vote of the legal voters of the towns of South Chicago, Hyde Park and Lake, at an election to be held in said towns, at the usual places of holding elections therein, on the third Tuesday in April, A. D. 1867, and such elections shall be conducted in the manner provided by law for other elections in said towns. The ballots used at such election shall be printed or written "For Park," or "Against Park." And if a majority of the votes cast on that subject shall be "For Park," then this act shall remain in force; otherwise it shall be void. The votes shall be canvassed and the returns thereof made in the manner provided by law for the election of state and county officers; and the clerk of the county court of Cook county shall immediately thereafter cause a certificate of the result of such election to be filed in the office of the secretary of state and in the office of the clerk of the supreme court of the third grand division. A copy of this act, when adopted as aforesaid, and of such certificate of said clerk, authenticated under the seal of the secretary of state, shall be evidence in all courts and places of the adoption or rejection of this act, as the case may be.

§ 18. This act shall take effect and be in force from and after its passage.

APPROVED February 27, 1867.

AN ACT to amend "An act to provide for the location, improvement and regulation of a certain park therein named," approved Feb. 16, 1865. In force March 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the commissioners contemplated by said original act were made a body politic and corporate, for the purposes set forth in said original act, with powers to make and use and at their pleasure change, for said corporation, a common seal; to contract and be contracted with, to sue and in matters touching said park to be sued; individual liability, except for malfeasance in office, being in nowise incurred in the discharge of their duties as said commissioners. Original powers

§ 2. That Ezra B. McCagg, Edwin H. Sheldon, Anthony C. Hessing, Jacob Rhem and Samuel H. Kerfoot, are hereby appointed, in lieu of those persons named as such commissioners in said original act; and in case of any of those now named failing, within sixty days from and after the passage of this act, to qualify as such commissioners, as provided for in said original act, their places shall be filled by the nomination to be made by a majority of those accepting and qualifying and by a confirmation of such nomination by the judge of the circuit court of Cook county, as provided for in said original act; and when the full number of five shall have been qualified and installed in the commissionership, their respective terms of office shall be determined by lot, as contemplated in said original act; but the terms for which they shall serve shall end in five, (5), four, (4), three, (3), two (2), and one (1) years, respectively, from and after the first Monday in July, A. D. 1867. Commissioners
—failure to
qualify.

Term of office.

§ 3. The North Park assessors, named in and created by said original act, shall have power to include in their list of property, by them deem benefited by the location of said park, such portion of the town of Jefferson, in said county of Cook, as lies in the east half of sections one (1) and twelve (12), and these parts of section thirteen, (13), twenty-four, (24), and twenty-five, (25); all in township forty north, range thirteen (13) east of 3d r. m., lying east of the North Branch of the Chicago river, and shall have power to assess such benefits on said last named lands, in the same manner and under the same plan and provisions, as are made in said original act for the assessment of benefits. The total benefits to be assessed by the said assessors, as arising from the location of the said park, may amount to but shall not exceed the sum of one hundred thousand dollars, (\$100,000.)

§ 4. The words "one thousand eight hundred and sixty eight (1868)" are hereby substituted in section nine (9), of said original act, for the words "one thousand eight hundred and sixty-six, (1866)," and the words "one thousand eight hundred and sixty-seven, (1867)," are hereby substituted. Sections revised

tuted in section thirteen thereof, for the words "one thousand eight hundred and sixty-five, (1865)," and in section fourteen (14) thereof, after the words "said towns of North Chicago and Lake View," the following words are hereby inserted: "and the portion of said township of Jefferson hereinbefore authorized to be assessed;" and to said section fourteen (14) shall be added, as follows: "and it shall be the duty of said clerk of the county court in the warrant next after the first day of each October to be issued for the collection of state and county taxes levied upon the real estate in said towns of North Chicago, Lake View and Jefferson, to set down in a column for that purpose provided, opposite the several lots, pieces or parcels of real estate upon which said annual tax for the purposes of said park commissioners is to be levied, as herein and in said original act is provided, the amounts to be collected on said lots, pieces or parcels of real estate respectively; and it shall thereupon

Collection of taxes. be the duty of collectors of taxes, for the state and county, to collect the said amounts and enforce the payment thereof in the same manner and with all the rights, powers and authority that they have to collect state and county taxes, and shall pay the same over to the county treasurer at the same time that they are required to pay over the county revenue; and the proper court of said county shall render judgment against and order the sale of any lot, piece or parcel of real estate for the non-payment of said tax, so assessed, and costs, in the same manner as is or may be provided for state and county taxes, and judgment shall be rendered for the aggregate amount for county, state and other taxes and the park tax aforesaid. The sale for said tax shall be conducted upon the same notice and judgment, and in the same manner as is or may be provided by law for state or county taxes. The

Redemption. right of redemption shall exist and be exercised in the same manner, and deeds for property sold for any assessment or tax levied under this act or the one to which this is an amendment shall be executed by the same persons and shall have the same effect as evidence as deeds executed in pursuance of the laws now in force or hereafter to be enacted, providing for the collection of state and county taxes in counties adopting the township organization. The collectors shall receive the same compensation as is allowed for the collection of the state and county taxes, to be paid out of the funds of the said commissioners; and they shall be liable on their bonds for the faithful performance of the duties required under this act and the act to which this is amendatory.

Compensation of collector.

Tax exemption § 5. The real estate and property of said board shall be exempt from all taxation, and all laws or parts of laws in conflict with this act, or the original act, to which this is amendatory, are hereby repealed.

§ 6. This act shall be deemed a public act, and shall be in force from and after its passage.

APPROVED March 8th, 1867.

AN ACT in relation to the support of paupers in the county of Lee.

In force Feb'y
21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of the county of Lee be and are hereby authorized to require the respective towns in said county to support each its own paupers: *Provided*, a majority of the board of supervisors are in favor of the same. Support.

§ 2. This act to be in force from and after its passage.
APPROVED February 21, 1867.

AN ACT to regulate and govern the support of the paupers of Cumberland county. In force March
5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of Cumberland county be and are hereby authorized and empowered to order an election in the said county of Cumberland for the purpose of deciding whether the paupers of said county shall be supported by each township, as hereinafter provided. Said election shall be governed and conducted according to the laws governing county elections. The vote shall be taken for and against township support; and in case a majority of those voting shall vote in favor of township [support] then each and every township in said county shall, by their proper officers, within a reasonable time after said election, (which time shall be fixed by the board of supervisors,) take charge of all the paupers that may be at the pauper farm of said county, which paupers may have been sent to said pauper farm from their respective townships; and such townships are authorized and required to levy and collect an annual pauper tax on all the property within such township sufficient for the purpose of supporting all paupers within such township; and the board of supervisors and township officers of each township in said county are hereby authorized and empowered to fully carry out all the provisions of this act. Support of pau-
pers.

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

APPROVED March 5, 1867.

Annual pauper
tax.

In force Feb'y 18, 1867. AN ACT to incorporate the Saint Louis and Peoria Plow Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Lorin Grant, Pratt Barnhart Meals, James Duff, Lewis Howell and Thomas C. Moore, and their associates, successors and assigns, be and they are hereby made a body politic and corporate, by the name and style of "The Saint Louis and Peoria Plow Company;" to have perpetual succession; and, by that name, may sue and be sued, plead and be impleaded in all courts of law and equity; may contract and be contracted with; may purchase, hold and sell real or personal property, in the course and for the purpose of its business; and may, generally, do all acts and things needful in the prosecution of the business of said company.

Capital stock. § 2. The capital stock of said company shall be one hundred thousand dollars, with the privilege to said company of increasing the same, from time to time, as the directors of said company may determine, to two hundred and fifty thousand dollars, and shall be divided into shares of one hundred dollars each, which shall be transferred only on the books of the company, and in such manner as shall be provided by the by-laws thereof.

Business and operations. § 3. The business of said company shall be the manufacture and sale of plows, and all such other agricultural implements and machinery as may, from time to time, be deemed advisable, and the purchase and sale of agricultural implements, machinery, seeds, and all other things usually kept in an agricultural, implement and seed store, said company having full power and privilege to build and run a manufactory for the making of all such articles as they may choose to make, and also to establish and construct a general agricultural, implement and seed store; and, for these purposes, said company may locate such manufactory and such agricultural implement and seed store at such place or places, either within or without the state of Illinois, as they may select. The general office of said company shall be in the city of Peoria, in the county of Peoria, and state of Illinois.

Directors. § 4. The business and affairs of said company shall be managed by a board of not less than five nor more than nine directors, who shall be chosen by the stockholders yearly—in such election each stockholder being entitled to one vote for every share of stock owned or held by him; and such directors, when elected, shall have all necessary power to make by-laws, rules and regulations for the government of said company and the conduct of its business, and to appoint all necessary officers and managers, agents and employees, and to prescribe their several duties.

Officers, etc.

§ 5. The corporators herein named, or a majority of them, shall be authorized to open the books for subscription to the capital stock of said company, in such manner and at such time as they may determine; and so soon as the amount of one hundred thousand dollars shall have been subscribed, then the said company shall be organized by the election of five directors, who shall complete the organization of said company by the making all needful rules, regulations and by-laws, and by the election of officers, etc.

§ 6. This act shall be deemed a public act, and shall be in force on and after its passage.

APPROVED February 18, 1867.

AN ACT to establish a police force for the city of East St. Louis.

In force Feb'y
22, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* The city council of the city of East St. Louis may pass ordinances for preserving order, securing property or persons from violence, danger or destruction, protecting public and private property, and for promoting the interest and insuring the good government of the city; but no ordinance heretofore passed or that may hereafter be passed by the city council of East St. Louis shall in any manner conflict or interfere with the powers or the exercise of the powers of the board of police commissioners of the city of East St. Louis, as hereinafter created; nor shall the said city or any officer or agent of the corporation of said city or the mayor thereof, in any manner impede, obstruct, hinder or interfere with the said board of police or any officer or agent or servant thereof or thereunder.

Protection of
property.

§ 2. So much of the city charter and ordinances as authorize the mayor and city council to appoint, pay and arm the police of said city and protect the said police in the discharge of their duty, be and the same are hereby repealed.

Authority re-
voked.

§ 3. There shall be and is hereby established within and for the city of East St. Louis a board of police, to be called the "Police Commissioners of the City of East St. Louis," to consist of three commissioners, as is hereinafter provided. The said commissioners shall be citizens of the state of Illinois and shall have been residents of the city of East St. Louis for the period of one year next preceding their appointment. They shall, except as hereinafter specified, hold their offices for four years and until their respective successors shall have been appointed and qualified, and shall receive each a salary of three hundred dollars per

Police commis-
sioners.

annum, payable quarterly. Before entering upon the duties of their said offices, the said commissioners shall take and subscribe before the judge of the circuit court of St. Clair county or the clerk thereof, the oath or affirmation prescribed by the constitution of the state of Illinois, and shall also take and subscribe, before the same judge or clerk, the further oath or affirmation that in any and every appointment or removal by them made to or from the police force created and to be organized by them under this act, they will, at all times and in all such appointments and removals, be governed by the fitness or unfitness of such persons so appointed or removed. The said oaths or affirmations shall be recorded and preserved among the records of said circuit court. One of their own number shall, from time to time, be appointed by said commissioners treasurer of said board of police; and his appointment, when made, shall be certified to the clerk of the county of St. Clair, under the seal of the said board. Said treasurer shall hold his office for such term as may be designated by the commissioners, who may remove him at pleasure; and shall be entitled to an additional compensation of two hundred dollars for acting in that capacity. Before he enters on the duties of his office as treasurer, he shall give bond to the state of Illinois, with one or more securities, in the penalty of ten thousand dollars, conditioned for the faithful discharge of his duties as treasurer of the board of police, and for the faithful application and payment over, pursuant to the orders and direction of said board, of all moneys that may come to his hands as such treasurer. The bond of the treasurer shall be approved by the judge of the circuit court of St. Clair county, and shall be delivered to and safely kept by the clerk of said county of St. Clair. A majority of the board of police shall constitute a quorum. In case a vacancy should occur in said board, the same shall be filled by the governor of the state of Illinois, after having been notified that such vacancy exists. Any of said commissioners who, during his term of office, shall accept any other place of trust or emolument, or, who, during the same period, shall knowingly receive any nomination for any office elective by the people, without publicly declining the same within twenty days succeeding said nomination, shall be deemed thereby to have vacated his office. For official misconduct, any of said commissioners may be removed by the governor of the state of Illinois, upon his being fully satisfied that the said commissioner is guilty of the alleged official misconduct.

Appointed by
the governor.

§ 4. The governor of the state of Illinois, by and with the advice and consent of the senate, shall, without unnecessary delay, appoint the three commissioners provided for in the last preceding section; and said commissioners shall hold their offices until their successors are appointed

and qualified. The governor shall issue commissions to the persons so appointed for the term of appointment.

§ 5. The duties of the board of police hereby created shall be as follows: They shall, at all times of the day and night, within the boundaries of the city of East St. Louis, as well on water as on land, preserve the public peace, prevent crime and arrest offenders, protect the rights of persons and property, guard the public health, preserve order at every public election and public meetings and places, and on all public occasions prevent and remove nuisances on all streets, highways, water and other places; to provide a proper police force at every fire, for the protection of firemen and property; protect emigrants and travelers, at steamboat landings and railway stations; see that all laws relating to elections and to the observance of Sunday and regulating pawnbrokers, gamblers, intemperance, lottery policies, vagrants, disorderly persons, and the public health are enforced. They shall, also, enforce all laws and all ordinances passed or which may hereafter be passed by the city council of the city of East St. Louis, not inconsistent with the provisions of this act or any state law which may be properly enforced by a police force. In case they shall have reason to believe that any person within said city intends to commit a breach of the peace or violation of law or order beyond the city limits. Any person charged with the commission of crime within the city of East St. Louis, and against whom criminal process shall have been issued, may be arrested in any part of this state, upon said process, by police force created or authorized by this act: *Provided, however,* that before the person so arrested shall be removed from the county in which such arrest shall be made, he shall be taken before some judge or justice of the peace of that county, to whom the papers authorizing such arrest shall be submitted; and the person so arrested shall not be removed from said county, but shall be forthwith discharged, unless such judge or justice of the peace shall approve or indorse said papers. Said police commissioners, or either of them, shall have power to administer oaths or affirmations on the premises of any person appearing or called before them. They shall have power to summon and compel the attendance of witnesses before them, whenever it may be necessary for the more effectual discharge of their duties.

Duties of the
police com-
missioners.

§ 6. To enable the said board to perform the duties imposed upon them, they are hereby authorized and required, as speedily as may be, to appoint, enroll and employ a permanent police force for the city of East St. Louis, which they shall equip and arm as they shall deem necessary. The number of policemen to be so appointed and employed, exclusive of officers, shall, at the first organization, be not exceeding the number employed by the corporate authority of the city of East St. Louis during the year A. D. 1866,

Permanent po-
lice force.

with power, however, to reduce that number or increase it as the necessities of the service may require: *Provided, however,* that for any extraordinary emergencies, the board may raise such additional force as the exigency may in their judgment demand. No person shall be appointed or employed as policeman or officer of police who shall have been convicted of or against whom any indictment may be pending for any offence the punishment for which may be confinement in the penitentiary. Nor shall any person be so appointed who is notoriously of bad character, or who is not a citizen of the United States, or who is not able to read and write the English language, or who does not possess ordinary physical strength and courage. The policemen shall be appointed to serve for the term of four years, and be subject to removal only for cause, after hearing by the board, who are hereby invested with exclusive jurisdiction in the premises. Any policeman whose time of service shall expire, and who, during his appointment, shall have faithfully performed the duties of his office, shall have preference given him by the board in making their new appointments.

Officers of police.

§ 7. The officers of police shall be as follows: one captain, who shall be chief of police, and one lieutenant. They shall be appointed by the board, for such time as the board shall determine, and be subject to removal, at any time, for cause.

Compensation.

§ 8. The pay of ordinary policemen shall be fifteen dollars per week, payable semi-monthly; and in case the board shall employ detective police, which they may do, to the number of two, the detectives shall receive a like sum, payable semi-monthly.

Of captain and lieutenant.

§ 9. The officers of police shall be paid semi-monthly, and their pay shall be as follows: the captain shall receive one thousand dollars per annum, and the lieutenant eight hundred dollars per annum.

Vacancies.

§ 10. Whenever any vacancy shall take place in the office of captain, it shall be filled by the lieutenant, provided he shall be competent to fill the position. The board of police are hereby authorized to make all such rules and regulations, not inconsistent with this act, as they may judge necessary for the appointment, employment, uniforming, disciplining, trial and government of the police. The said board shall, also, have power to require of any officer or policeman a bond, with securities, when they may consider it demanded by the public interest. All lawful rules and regulations of the board shall be obeyed by the police force, on pain of dismissal or such other lighter punishment, either by suspension, fine, reduction or forfeiture of pay, or otherwise, as the board may adjudge.

§ 11. No officer of police or policeman shall be allowed to receive any money or gratuity or compensation for any

service he may render, without the consent of said board; and all such moneys as any policeman or police officer may be so permitted to receive shall be paid over to the board, and shall form a fund which the board may apply, by way of extra pay, to such members of their force as gallantry and good conduct or extraordinary occasions may be adjudged to merit it.

§ 12. The said board shall be and they are hereby authorized to provide themselves with such office and office furniture and such clerks as they may need; and to have and use a common seal. They may, if by them deemed necessary, divide the city into the needful number of police districts, and provide, if necessary, a station house or houses for the use of the police. Other officers.

§ 13. It shall be the duty of the sheriff of St. Clair county, whenever called on for that purpose by said board, to act under their control for the preservation of the public peace and quiet; and, if ordered by them to do so, he shall summon the *posse comitatus* for that purpose, and hold and employ such posse, subject to their discretion. The said board shall have the power to assume the control and command of all conservators of the peace of the city of East St. Louis, whether sheriff, marshal, constable, policeman or others; and they shall act under the orders of the said board, and not otherwise, and in case of the refusal of the said sheriff, marshal, policeman, constable or other peace officer or person to obey any lawful command of the said board, under the provisions of this section, they shall, respectively, be liable to the penalties following, that is to say: the said sheriff, to a penalty of two thousand dollars; the city marshal, or any peace officer, to a penalty of four hundred dollars; any private citizen to a penalty of one hundred dollars—to be recovered by said board by civil action, in the name of the state. Duty of sheriff of St. Clair county.

§ 14. So soon as the board created by this act shall hold their first meeting, it shall be their duty to inform the city marshal, the captain of police and other officers of the police force of the city of East St. Louis, that they require their attendance upon them, and obedience to their orders; which attendance the officer or officers so notified shall be bound respectively to give, under a penalty of four hundred dollars, each—to be recovered by action at law, instituted by said board, in the name of the state, for failure to attend, as required, and for each and every failure to obey the lawful order of said board. From and after the first meeting aforesaid the whole of the then existing police force in the city of East St. Louis, both officers and men, shall pass under the exclusive management and control of said board, and be subject to no other control and entitled to receive neither orders or pay, except arrearages then due, from any other authority; and shall so continue, subject, Requirements of police board

however, to removal or suspension, at the discretion of said board, and with the power in said board to fill vacancies until the said board shall publicly declare that the organization of the police force created by this act is complete. Upon such public declaration and from the time thereof thenceforward all ordinances of the city of East St. Louis are annulled and declared void, so far as they conflict with this act or assume or confer upon the mayor or any other person the power to appoint, dismiss or in any way or to any extent employ or control any police force organized or to be organized under such ordinance, or any of them; and from and after such public declaration, as aforesaid, the police force, organized or which may be organized, under such ordinance or any of them, shall cease to exist, and all its functions and powers to be at an end.

Resistance to
authority.

§ 15. Any officer or servant of the mayor or city council of the city of East St. Louis, or other person whomsoever, who shall forcibly resist or obstruct the execution or enforcement of any of the provisions of this act, providing a permanent police for the city of East St. Louis or relating to the same, or who shall hinder or obstruct the organization of said board of police, or the police force hereunder provided to be organized, or who shall maintain or control or attempt to maintain or control the existing police force of said city or any part thereof or any other police force, under the ordinances and acts herein and hereby repealed, except as herein provided, shall be liable to a penalty of one thousand dollars for each and every such offense, recoverable by the board by action of law, in the name of the state, and shall forever thereafter be disqualified from holding or exercising any office or employment whatever under the mayor or city council of East St. Louis or under this act: *Provided, however,* that nothing in this section shall be construed to interfere with the punishment under any existing or future law of this state of any criminal offense which shall be committed by the said parties in or about the resistance, obstruction, hindrance, conspiracy, combination or disbursement aforesaid.

Provisions for
pay.

§ 16. It shall be the duty of the said board, with all convenient speed, after qualifying as aforesaid, and annually thereafter, to estimate what sum of money will be necessary for each fiscal year, to enable them to discharge the duties hereby imposed upon them; and they shall, forthwith, certify the same to the city council of the city of East St. Louis, who are hereby required in the first appropriation ordinance of the fiscal year to set apart and appropriate the amount so certified, out of the general fund of the said city of East St. Louis; and in case the city council shall fail to make such appropriation or the disbursing officer or officers shall not forthwith pay over the amount of such requisition, as made and required, it shall be the duty of said board and

they are hereby authorized and required to issue certificates of indebtedness, in the name of the city of East St. Louis, in such amounts as they may deem advisable, for the amount of such requisitions, respectively, bearing interest at ten per cent. per annum, payable not more than twelve months after date, and signed by a majority of the board, and to raise the money on said certificates, on pledging or disposing of the same; which certificates shall be receivable at par in payment of all city taxes, and be as binding upon such corporation and be as recoverable against it as if the city council of East St. Louis had themselves authorized the issuing of said certificates. The city council of the city of East St. Louis shall have no power or authority to levy or collect any tax or appropriate any money for the payment of any police force other than to be organized and employed under this act. No officer or servant of the mayor or city council of said city of East St. Louis shall disburse any money for the payment of any police force other than that to be organized and employed under this act; and the power of said mayor and city council to appropriate and disburse money for the payment of the police force to be organized or employed under this act shall be exercised as in this section directed, and not otherwise. In case the amount, as aforesaid, to be estimated by the said board, shall, from any unforeseen cause, prove insufficient for the necessary expenses of the current year, the said board are hereby authorized and empowered to issue certificates and raise money therefrom, as hereinbefore provided, to meet the exigency: *Provided, however*, that no such additional issue shall exceed the sum of two thousand dollars in any one year; and that the amount thereof shall be added to the appropriation for the year next ensuing. The city clerk or city comptroller shall furnish to the board of police a statement of the expenditures of the city of East St. Louis, which shall show the full amount of salaries paid to regular and special policemen, and the amount of per-centage paid to policemen upon fines and penalties recovered by said city during the year 1866, immediately on the demand of said board.

§ 17. The board shall cause a full journal of their proceedings to be kept, and shall also cause all the receipts and disbursements of moneys to be faithfully entered in books to be provided and kept for that purpose; and said journal and all said books and all other documents in the possession of said board shall always be open to the inspection of the general assembly of the state of Illinois or any committee appointed by it for that purpose. It shall be the duty of the board to report to the city council of the city of East St. Louis, at each annual session thereof, the number and expense of police employed by them under this act, and all such other matters as may be of public interest in connection with the duties assigned them by this act.

Journal of proceedings.

Conflicting acts
repealed.

§ 18. All acts and parts of acts and charter provisions, and all ordinances of the city of East St. Louis, conflicting with this act, are hereby repealed. This act shall take effect from and after its passage.

APPROVED February 22, 1867.

In force when
adopted by
voters.

AN ACT to amend an act in relation to the poor in Stephenson county, approved February 18th, 1861.

Relief and sup-
port of poor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That every town in Stephenson county shall relieve and support all poor and indigent persons having a lawful residence in such town, whenever they shall stand in need thereof and not relieved and supported by their kindred, as by the laws of this state provided.

Duties of over-
seers.

§ 2. The overseers of the poor, in their respective towns, shall have the care and oversight of all such poor and indigent persons, so long as they remain at the charge of their respective towns, and shall see that they are suitably relieved, supported and employed at the charge of such towns, either in the poor house provided by said county, or in such other manner as the legal voters of the town may direct at their annual town meeting, or in case of no directions by the town, then at the direction of the overseers.

Provisions for
relief, etc.

§ 3. The said overseers, in their respective towns, shall also provide for the immediate comfort and relief of all persons residing or found therein, though they have no lawful residence in such town, when they shall fall into distress and stand in need of immediate relief, and until they shall be removed to the place of their lawful residence, if any they have.

Non-residents.

§ 4. When any non-resident, transient or other person, not coming within the definition of a pauper, shall fall sick, or become lame or in any manner disabled, in any town in said county, not having money or other property to pay his or her board, nursing, medical aid and other necessities, it shall be the duty of the overseer of the poor of such town to give or order to be given such assistance to such poor person as he may deem just and necessary; and if said person shall die, then the said overseer shall give or order to be given to such poor person a decent burial.

Medical aid.

Interment.

Expenses of
paupers.

§ 5. All expenses incurred and all money laid out and expended under the provisions and requirements of the two preceding sections, as well as under sections one and two of this act, and also under and by virtue of the provisions and requirements of all and every law of this state in

relation to paupers or poor persons, shall be a town charge against the proper town in said county, to be audited and paid by said town as other town charges are audited and paid.

Paid.

§ 6. The person at whose house, in any town, in said county, the poor person mentioned in sections three and four of this act shall fall sick or be in need of assistance, shall aid and provide for such person until he or she shall represent the need and situation of such person to the overseer of the poor of such town; and if said overseer shall refuse or neglect to provide for such poor person, as provided and required in said sections three and four, the person aiding or supporting shall continue to do so; and in case such poor person shall die, he or she shall give to such poor person a decent burial, and may recover, in an action at law against said town, for a l necessary expenses incurred in aiding, providing for, supporting and burying such poor person: *Provided*, that no suit shall be commenced against any town, under the provisions of this section, until a bill of items of said expenses shall be presented to the board of auditors of such town, or filed in the town clerk's office of said town.

Duties of private persons in relation to the poor, etc.

Deaths.

Suits at law.

Proviso.

§ 7. When any person becomes a town charge in any town in said county, under any of the provisions of this act or any law of this state, in relation to paupers or poor persons, and the overseer of the poor of such town shall believe that such person did not reside in such town at the commencement of the six months immediately preceding his or her becoming so chargeable, then said overseer shall ascertain, by examination of said person or other means, his or her lawful place of residence, if any he or she may have within this state; and if said overseer shall find or believe that such person's lawful residence is in some other town in said county then said overseer shall notify, by written notice, the overseer of the poor of the town to which such person belongs, that said person has become chargeable to such town, and requesting said overseer to remove said person, with his or her family and effects, if any he or she has, forthwith, and pay all expenses accrued in taking care of him or her. Said notice may be in the following form, to-wit:

Town charges.

Residence.

Notifications.

Removal of. Expenses.

STATE OF ILLINOIS, } ss.
Stephenson County, }

To the overseer of the poor of the town of—, in said county :

SIR: You are hereby notified that one A — B — has been, since the — day of — 186— and still is a town charge to the town of — in said county, and that said A — B —'s lawful residence under the laws of the state is in your town. You are, therefore, requested to remove the said A — B —, with his family and effects, forthwith, to your town, and pay all the expenses accrued in taking care of him.

Form of letter of notification.

Given under my hand, at the said town of — this — day of — 186—.

C — D —, Overseer of the Poor of said town of —.

§ 8. Such written notice may be delivered to any sheriff or constable of said county, whose duty it shall be to im-

Serving notice.

mediately serve the same on the overseer of the poor to whom it is directed, by delivering to him a true and attested copy of said notice, or by leaving such a copy at the house of the usual abode of said overseer, with some person of sufficient discretion, then resident therein, and shall then indorse on said notice the manner and date of service, and return the same within six days to the town clerk of the town from which he received it; and said clerk shall file and preserve the same. The officer serving said notice

Fees for serving shall be entitled to the same fees as is by law allowed for serving and returning a summons before a justice of the peace; which fees shall be paid, in the first place, by the town giving the notice, but to be considered and allowed against the town to which the notice is given, as a part of the charges in respect to said pauper or poor person.

Certified copies § 9. A copy of said notice and of the officer's return therein, certified by the town clerk, in whose office the same shall be on file, shall be received as *prima facie* evidence that said notice has been served, as stated in said return.

Lawful residence of paupers. § 10. But in case the lawful residence of any pauper or poor person, chargeable to any town in said county under any of the provisions and requirements of this act or of any law of this state, in relation to paupers shall be in any town in this state, out of said county, or in any other county in this state, then the notice required in section seven of this act shall be directed to the town clerk of the town or the clerk of the county court of the county in which such pauper or poor person has a lawful residence, and send by said overseer to such clerk by mail.

Removal of paupers—support and costs, etc. § 11. The overseer of the poor to whom such notice is given and the authorities of the town or county to the clerk of which the notice is given, shall immediately remove such pauper or poor person, with his or her family and effects, if any he or she may have, into his or their town or county, if such person has a lawful residence therein, and there provide for and support him or her at the charge of said town or county; and said town or county shall also pay to the town from which the removal is made all just and necessary costs and expenses incurred by such town in behalf of such pauper or poor person, to be sued for and recovered by such town in any court having jurisdiction thereof.

Suits for expenses in case of non-removal. § 12. If said pauper or poor person, by reason of sickness, disease or any disability, can not be removed, or by refusal or neglect of the overseer of the poor to whom notice is given, or of the authorities of the town or county to the clerk of which notice is given, shall not be removed, then the town taking charge of such pauper or poor person may sue for and recover from such town or county the amount expended for and in behalf of such pauper or poor person and his or her family and in taking care of the same, both before and after notice given, and in case such pauper

Expenses in case of death.

or poor person shall die, then the expense incurred in giving to him or her a decent burial; all of which may be sued for and recovered in any court of this state having jurisdiction.

§ 13. That section one (1) of an act to amend an act entitled an act to provide for township organization and to extend the powers and duties of overseers of the poor, approved March 4th, 1854, be and hereby is so amended in its application to said county of Stephenson that in all places in said section after the words "county court," where the word "county" occurs, the word "town" be and hereby is substituted, in place of "county;" and that section six (6), of chapter fifty, of the Revised Statutes, entitled "Idiots and Lunatics," be and the same is hereby so amended in its application to said county as to read as follows: "The overseers of the poor in every town in said county shall take charge of the body of any person so insane, lunatic or distracted, and shall have full power to confine him or her, and shall comfortably support him or her, and make out an account thereof, to be audited and paid by said town as other town charges are audited and paid: *Provided*, if said idiot or lunatic has property sufficient to pay said expense and support or any part thereof, the same shall be appropriated for that purpose, under the directions and order of the county court of said county.

Sec. 1 of act approved March 4, 1854, amended.

Sec. 6, chap. 50, of Revised Statutes, applicable to this county, amended.

§ 14. Every overseer of the poor in said county shall keep a book, to be purchased at the expense of the town, and to be called the record of the poor of the proper town. He shall enter in said book the name of every person to whom his town is rendering aid or support, under the provisions and requirements of this act or of any other law of this state in relation to paupers. He shall, also, enter in said book the age of said pauper or poor person, and where born, if the same can be ascertained; how long he or she has resided in such town; when the town commenced rendering aid or support to him or her and when it ceased to do so; and shall also enter therein, in connection with the name of such pauper or poor person, every item of expense incurred by the town in aiding or supporting him or her; and in case such pauper or poor person shall die, while at the charge of the town, he shall note the date of his or her death; he shall also keep a correct index to each person's name, entered in said record as a pauper or poor person.

Books of record

§ 15. Said book or record shall, at all times, be open to the inspection of every tax-payer in the town and of any other person in anywise interested, and shall be submitted by the overseer to the board of auditors on the settlement of his account, and to be delivered by him to his successor in office, in the manner prescribed by the laws of this state.

Books of record to be open for inspection.

§ 16. In the case of the absence of the overseer of the poor of any town or [if] there should be a vacancy of the office of

Vacancy in office of overseer

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| Duties, etc. | overseer, then the duties and responsibilities of overseer shall devolve upon the supervisor of such town until the return of the overseer or until one shall be elected or appointed and qualified. |
| Penalties for maltreatment of the poor. | § 17. If any overseer of the poor, supervisor or any other person having any pauper or poor person under his charge, shall wilfully abuse or maltreat such pauper or poor person, or shall refuse or neglect to render to him or her relief or support, as by this act required, shall forfeit and pay a fine not less than three nor more than one hundred dollars, and prosecution for the same may be before any justice of the peace of said county, upon the complaint of any competent person; and the manner of the prosecution shall be the same as provided in cases of assault, assault and battery, and affrays in chapter fifty-nine of the Revised Statutes. |
| Lawful residence. | residence. § 18. The term "lawful residence," wherever it occurs in this act, shall be taken and considered to mean the place where the pauper or poor person resided at the commencement of six months immediately preceding such person's becoming a town charge; and "residence" shall be defined the same as in section 15 of chapter eighty of the Revised Statutes. |
| Suits. | § 19. All suits authorized and actions given by this act may be commenced and prosecuted before any justice of the peace of said county, when the amount claimed does not exceed one hundred dollars: <i>Provided</i> , that no suit shall be commenced before any justice of the peace of any town interested in the event of the suit. |
| Disposition of paupers. | § 20. The several towns in said county may, at their annual town meeting, dispose of their respective paupers in such manner and make such rules and regulations for taking care of them as a majority of the legal voters present shall agree upon, not in conflict with any law of this state. |
| Town indebtedness under the provisions of this act. | § 21. The supervisor of any town in said county may borrow, on the credit of said town, any sum of money he may deem necessary to meet any of the liabilities of said town that may arise under any of the provisions of this act: <i>Provided</i> , that the amount borrowed and owed for borrowed money shall not exceed one-half of one mill on the taxable property of said town. |
| Proviso. | |
| Penalties for removal of paupers. | § 22. If any person, except persons authorized to remove paupers or poor persons, under this act or other laws of this state, shall bring any poor and indigent person from any town in said county into another town in said county, or from any town or county in this state, or from any place out of this state, into any town in said county, or aid therein, with the intention to charge such town with his or her support, he shall forfeit and pay a sum not exceeding one hundred dollars for every such offence; and if such poor and indigent person has not a lawful residence in such town, |

the person making such removal or aiding therein shall, also, from time to time, be liable to pay such town all such damages as shall accrue to such town for the support of such poor and indigent person.

§ 23. The penalty and damages given by the preceding section may be recovered in an action on the case, by and for the use of the town into which the removal is made, and when the amount claimed does not exceed one hundred dollars, before any justice of the peace of said county, excepting justices of the peace of the town prosecuting.

Penalties and damages recoverable by law.

§ 24. The poor house and farm in said county shall be kept open for the reception of such paupers or poor persons as any town in said county may see fit to support therein, under such rules and regulations as the board of supervisors of said county may make in relation to said house and farm; and said board of supervisors shall make the rules and regulations in respect to said house and farm and cause the same to be printed and a copy thereof to be sent to the town clerk of each town in said county, to be by him preserved for the use of his town.

Poor house and farm — regulations.

§ 25. If at the election for county officers to be held in said county on Tuesday after the first Monday in November next, after the passage of this act, a majority of all the legal voters of said county of Stephenson, voting at said election, shall vote in favor of the adoption of this act, which vote shall be by ballot, written or printed, or partly written and partly printed, substantially in the following words: "For the amendment to the poor law," or "Against the amendment to the poor law;" which votes shall be canvassed and returned in the same manner that the other votes cast at said election are required to be canvassed and returned, then this act shall be in full force and effect; otherwise void; and in case a majority of all the votes cast at said election shall not be "For the amendment to the poor law," then the act to which this is an amendment shall be in full force and effect.

Act to be submitted to legal voters.

§ 26. All laws and parts of laws inconsistent or in conflict with this act are hereby repealed.

Conflicting acts repealed.

APPROVED February 25, 1867.

AN ACT to incorporate the Northwestern News Association.

In force March 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That S. Staats Taylor, E. L. Merritt, E. L. Baker, E. Emery and S. P. Cadagan, and their associates, successors and assigns, be and they are hereby instituted a body politic and corporate, by

Corporators.

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| Corporate name and powers. | the name and style of "The Northwestern News Association;" and, by that name, they shall have perpetual succession; and shall be capable of suing and being sued, defending and being defended against, pleading and being impleaded, answering and being answered unto, within all courts of law and equity in this state or elsewhere; they may have a common seal, and alter and change the same at their pleasure; and purchase, hold or convey real and personal estate necessary to promote and carry out the objects of said corporation; and shall be and are hereby vested with all 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. The general office of said corporation shall be in the city of Springfield, Sangamon county, and state of Illinois. |
| General office. | |
| Objects and business. | § 2. The business and objects of said association shall be to procure intelligence for the newspaper press, from all parts of the world, by telegraph or otherwise, upon such terms and conditions as shall be adopted by said association, from time to time. |
| Capital stock. | § 3. The capital stock of said association shall consist of ten thousand dollars, and may be increased, from time to time, by the board of directors of said association, as deemed necessary, which capital stock shall be divided into shares of fifty dollars each. |
| Government of affairs. | § 4. The immediate government and direction of said association shall be vested in the five above named corporators, who shall constitute the first board of directors, and who shall enter upon the duties of their office in accordance with the by-laws of said association; and a majority of the board of directors shall constitute a quorum for the transaction of business. |
| Officers. | § 5. The board of directors shall elect one of their number president of the association and such other officers and agents as the by-laws shall require. |
| Share votes | § 6. At all meetings of the stockholders, each stockholder shall be entitled to cast one vote for each share of stock holden, subject to such general regulations as the by-laws shall provide. And should the president or any of the directors die, resign, be removed from office, refuse to act, or in any way become incompetent to act, the board of directors may fill any such vacancy, so occasioned, until the next regular meeting of the stockholders for the election of officers of the association, and may, in the absence of the president, appoint a president <i>pro tem</i> . |
| Vacancies. | |
| Stock subscription. | § 7. The board of directors may, from time to time, open and close the books of the association for subscriptions to the capital stock, under such general restrictions and conditions as shall be provided in the by-laws and subscription lists of the association. |

§ 8. This act shall be deemed and taken as a public act, and shall take effect and be in force from and after its passage.

APPROVED March 8, 1867.

AN ACT to incorporate the People's Anti-Monopoly Publishing Company. In force Feb'y 18, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That David Strawn, M. Woolley, B. P. Babcock, Jonathan Duff, M. B. Patty, W. H. Clarke, John H. Hosford, Wm. Y. Worsley, Benjamin Edgecomb, S. D. Rounds, John Logan, Peter Daggy, Azariah Buck, George Snowden, P. O. Kief, A. C. Cameron, Charles Walker, R. B. Mason, Alexander Campbell, L. E. De Wolf, J. G. Dunlavy, J. J. Gillett, J. N. Reading and G. W. Armstrong, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of "The People's Anti-Monopoly Publishing Company;" and, under that name and style, to have perpetual succession; to be capable in law of suing and being sued, pleading and being impleaded, in all courts and places; of purchasing, holding and selling all such real estate and personal property as may, from time to time, become necessary for the successful carrying on of the business specified in this act; to have a common seal, and to break and renew the same at pleasure; and, generally, to have and exercise all the functions and franchises which usually appertain to corporations of this character.

Corporators.

Corporate name and powers.

§ 2. The capital stock of said company shall be fifty thousand dollars; and may be, from time to time, increased, by a vote of a majority in interest, to any sum not exceeding five hundred thousand dollars; which capital stock may be divided into shares of such denomination as the board of directors of the company may determine, and shall be issued, registered, certified and transferred as the board of directors shall direct; which stock shall be treated as personal property; and at all elections of said company, every stockholder shall be entitled to one vote for every share of stock he may hold, which may be given in person or by proxy.

Capital stock.

§ 3. The corporate powers of this company shall be vested in and exercised by a board of directors, consisting of such number, not less than seven, as a majority in interest may from time to time determine, to be elected annually by the stockholders; but if, for any cause, annual elections shall not be held, none of the corporate powers, rights, privileges or franchises of said company shall thereby

Directors—
failure to elect

- President and officers. be forfeited or impaired, but the board of directors for the time being shall hold their offices until their successors are elected and qualified. The board of directors shall, immediately after the annual elections, elect one of their number president; they shall also elect a secretary and treasurer, and such other officers as shall be prescribed by the by-laws of said company. David Strawn, M. Woolley, George Snowden, Wm. H. Clarke, Azariah Buck, Alexander Campbell, S. D. Rounds, A. C. Cameron, Peter Daggy and G. W. Armstrong, shall constitute the first board of directors, and shall hold their offices until their successors are elected and qualified; and they shall elect one of their number president, and appoint a secretary and treasurer, who shall hold their offices until the first annual election, unless sooner removed by the board of directors. They shall, also, have power to elect or appoint such other officers or agents as they may deem necessary for the transaction of the business of the company; to prescribe the duties, fix the compensation, and determine the tenure of office of all such officers or agents.
- First board.
- By-laws. § 4. The said company shall have power to make, execute and enforce all such by-laws, rules and regulations, not inconsistent with the constitution and laws of the United States and of this state, as may be necessary for the well ordering, prosecution and management of the affairs of said company.
- Business and operations. § 5. The business of the said company shall be the publishing of a newspaper in the city of Chicago, under such title as the board of directors may elect. Said company may, also, establish and carry on a book and job office and publishing house, in said city; and to purchase or build and operate a paper mill, for the manufacture of paper, in any part of the state.
- § 6. This company shall have power to lease, build or purchase all machinery, water or steam power, buildings, materials and fixtures, as may be necessary to commence and carry on the business specified in this act. All deeds, leases and contracts relating to real estate leased, bargained for or purchased by said company, shall be made to the "People's Anti-Monopoly Publishing Company;" and all deeds, leases and contracts relating to lands, made by said company, shall be signed by the president, countersigned by the secretary and shall be under the seal of said company; and all such leases and contracts may be acknowledged before a proper officer by the president of said company.
- Subscription to stock. § 7. The board of directors of said company, or a majority of them, shall open books for subscriptions to the capital stock of said company, at such time or times, place or places, as they may deem proper; and when fifteen thousand dollars of said stock shall have been subscribed,

and not less than seven thousand five hundred dollars thereof paid in, said company may commence business; and the balance of the stock subscribed may be collected in such installments as the board of directors may elect. Books for subscription to the stock of said company may be opened, from time to time, until the whole amount of the capital stock shall have been subscribed.

§ 8. This act shall take effect and be in force from and after its passage.

APPROVED February 18, 1867.

AN ACT to amend an act entitled "An act to incorporate the Swedish Lutheran Publication Society in North America," approved February 21, 1859. In force Feb'y 22, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section three (3) of an act of the general assembly of the state of Illinois, entitled "An act to incorporate the Swedish Lutheran Publication Society in North America," approved February 21, 1859, which said section enacts that said publication society shall consist of such Swedish Lutheran congregations in this country as are united with any synod belonging to the general synod of the Lutheran church in the United States, be and the said section three (3) of the said act is hereby repealed. Sec. 3 of a prior act repealed.

§ 2. *And be it further enacted,* That said publication society shall consist of such Scandinavian Lutheran congregations in this country as are united with the Scandinavian Evangelical Lutheran Augustana Synod of North America. Lutheran congregation.

§ 3. This act to be in force from and after its passage.

APPROVED February 22, 1867.

AN ACT to amend an act, entitled, "An act to incorporate the Religious Philosophical Publishing Association," approved February 16, 1865. In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act, entitled "An act to incorporate the Religious-Philosophical Publishing Association," be and the same is hereby so amended as that the name and style of said corporation shall be "The Central Publishing House." Name changed.

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

APPROVED February 23, 1867.

In force Feb'y
23, 1867.

AN ACT to incorporate the DeKalb Printing Association.

- SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Aaron R. Styles, Rufus Hopkins, Isaac L. Ellwood, Leonard Morse and John A. Atwood, and their associates, successors and assigns, be and they are hereby instituted a body politic and corporate, by the name and style of "The DeKalb Printing Association;" and, by that name, they shall have perpetual succession; and shall be capable of suing and being sued, defending and being defended against, pleading and being impleaded, answering and being answered unto, within all courts and other places whatsoever; they may have a common seal, and alter and change the same at pleasure; and purchase, hold or convey real and personal estate necessary to promote and carry out the objects of said corporation: *Provided*, they shall not hold exceeding one acre of real estate.
- § 2.** The business and object of said corporation shall be to publish in the town of DeKalb, DeKalb county, a newspaper, and as a secondary and appurtenant matter connected therewith, a job printing office and book-bindery.
- § 3.** The capital stock of said company shall be at first four thousand dollars, but with the privilege of increasing the same. Said capital stock to be divided into shares of one hundred dollars each. In all elections or questions to be decided by a vote of said company, every stockholder shall be entitled to a vote for every share he or she may hold.
- § 4.** Said company shall have five directors, to be elected annually, one of whom shall be president; and said president and directors shall have the management of the concerns of said company, subject to such by-laws as said company or directors may adopt.
- § 5.** The persons named in the first section of this act, or a majority of them, shall be commissioners to take subscriptions or organize said company, and shall, as directors, have the control of the same until an election shall be held for directors. The stock of said company shall be assignable, subject, however, to the regulations and by-laws that shall be made relating thereto.
- § 6.** Said company shall have power to make such regulations and pass such by-laws for the management of the affairs of said company and the transfer of its stock as they may deem proper and which shall not be contrary to the laws of the land.
- § 7.** This act shall be deemed a public act, and be in force from and after its passage.
- APPROVED February 23, 1867.

AN ACT to incorporate the Republic News Company.

In force Feb'y
21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Michael Scanlan, Nicholas Crickard, J. J. Fitzgibbon, Captain Jeremiah Ganey, Captain William P. Cardwell, John D. Tulley, L. H. O'Connor, John F. Scanlan, Daniel Henan, Bernard C. Heavy, Mortimer Scanlan, John F. Finnerty and Thomas Holland, of the city of Chicago; P. W. Dunne, Daniel Costello, John Dolan, and John Costello, of Peoria; John Forrestall, of LaSalle; Michael Egan, of Amboy; George L. Corcoran, M. D., of Brimfield, and M. J. Bogart, of Springfield, in the state of Illinois; David Bell, L. L. D., Thomas O'Neil Russell, of New York city; Thomas Fitzsimmons, of Albany; Daniel O'Sullivan, of Auburn, in the state of New York; William McWilliams, of Oil City, Pennsylvania; William Cleary, M. D., of New Orleans, Louisiana; Michael Lawler, of Atlantic city, and John Pope Hodnett, of Jersey City, in the state of New Jersey; Paul Fitzgerald, of Minneapolis, Minnesota; James W. Fitzgerald, of Cincinnati, Ohio; and Alexander L. Morrison of Kansas City, Missouri; General John O'Neil and J. W. Hynes, of Tennessee, and their successors, associates and assigns, be and they hereby are instituted a body politic and corporate, by the name and title of "The Republic News Company;" and, by that name, they shall have perpetual succession; and shall be capable of suing and being sued, defending and being defended against, pleading and being impleaded, answering and being answered unto, within all courts and other places whatsoever; that they may have a common seal, and alter or change the same at pleasure; and that they may purchase, hold and convey real and personal estate necessary to promote and carry out the objects of their incorporation: *Provided, always,* they shall not hold exceeding one acre of real estate.

Corporators.

Name and style

Rights and privileges.

Object and business.

§ 2. The business and objects of said incorporation shall be to publish in the city of Chicago, and state of Illinois, a first class newspaper; and, as a secondary and appurtenant matter, to connect therewith a publishing, job printing and book-binding department, together with the making and vending of books, pamphlets, periodicals, maps, newspapers, printed or painted lithographs, photographs, and mechanical or chemical matter for the diffusion of knowledge and the promotion of literature, science or art.

§ 3. Said newspaper shall be published and known by the name and title of "The Irish Republic;" and the great principles which it is instituted to advocate and uphold are the right of the people of Ireland to the possession and enjoyment of liberty under such republican institutions as now exist in the United States of America—the freedom,

Principles advocated.

unity, power and glory of the American Republic—not only as the adopted home of a large section of the Irish people, but as the hope and refuge of the oppressed peoples and nations of the earth, and the source from which light and freedom shall eventually flow to them all—the union of all peoples in defense of freedom, and in opposition to every form of slavery and injustice, and the right of men of every color and clime to life, liberty and happiness.

Capital stock.

§ 4. The capital stock of said company shall be at first one hundred thousand dollars (\$100,000), and may be increased from time to time by the board of directors of said company, as may be deemed necessary; which capital stock shall be divided into shares of one hundred (\$100) dollars each; and whenever stock to the amount of seventy-five thousand (\$75,000) dollars shall have been subscribed, and ten per cent. thereof shall have been paid, it shall be lawful for the company to commence business under this act.

Officers and directors.

§ 5. The said company shall have seven (7) directors, to be elected annually; such election to be held on the first Tuesday in each year; which directors shall, at their first meeting, elect from their number a president and vice-president, and shall also elect and appoint a secretary and treasurer, and such other officers and servants as they may deem necessary, and shall fix their compensation and term of office as they may deem right and proper; a majority of said board of directors to constitute a quorum for the transaction of business; and the following shall be, and they hereby are appointed the first board of directors of said company, viz: Michael Scanlan, of Chicago; Nicholas Crickard, John D. Tully, of Chicago; Patrick W. Dunne, of Peoria, in the state of Illinois; James W. Fitzgerald, of Cincinnati, Ohio; Daniel O'Sullivan, of Auburn, New York; and David Bell, L. L. D., of New York city.

Subscription to stock.

§ 6. The board of directors of said company are hereby empowered to solicit and receive subscriptions for stock as soon as their president and secretary and treasurer shall have been duly appointed, and the last named officer—the treasurer, shall have given proper bonds for the due performance of his duties; and said board shall hold their first meeting within ninety days after the passing of this act; and said board shall call the first meeting of the stockholders within fifteen (15) days after the necessary amount of stock shall have been subscribed for, agreeable to section four of this act; and said board shall have power to purchase and hold all such real estate as may be sold under mortgage, trust deed, execution, or other legal process, to secure and satisfy debts due to said company; and said board shall have power to lease such real estate and buildings as may be necessary to carry on the business of the company, and to sub-let or lease to others such houses, apartments or rooms in their own buildings or in buildings

leased by them as may not be needed in the printing, publishing and binding business as aforesaid.

§ 7. Said company, at their first meeting, shall have power to enact all necessary rules or by-laws, for the regulation and direction of its affairs, and for the transfer of its stock; and such rules or by-laws, when so made, shall be binding on the stockholders of said company; and said rules or by-laws shall not thereafter be altered, changed or amended, except by a vote of the stockholders personally present, and voting and representing at least two-thirds of the shares of said company, at some regular meeting, of which due notice shall be given in writing or otherwise, to all of said stockholders at least ten days before such meeting; and said stockholders shall be liable only in proportion to the amount of stock severally held by them, for all debts contracted by said corporation during the time they were stockholders, as aforesaid. By-laws, etc.

§ 8. At all meetings of the company, each stockholder shall be entitled to cast one vote for each share of stock holden, subject to such regulations as the by-laws shall provide; and no person shall be eligible to the office of a director who does not own and hold at least ten shares of stock; and should it at any time happen that a board of directors shall not be elected at any time fixed by the by-laws, said company shall not, for that cause, be dissolved, but the old board of directors shall hold their offices until their successors shall be appointed and enter upon the duties of their offices, and should the president or any of the directors die, resign, or be removed from office, refuse to act or in any way become incompetent to act, the board of directors may fill any such vacancy so occasioned until the next regular meeting of the stockholders for the election of officers of said company, and may, in the absence of the president or the vice president, appoint a president *pro tem.* Elections.

§ 9. This act shall be deemed and taken as a public act, and shall be construed beneficially for all purposes hereinbefore specified or intended, and shall take effect and be in force from and after its passage. Construction of act.

APPROVED February 21, 1867.

AN ACT to incorporate the National Printing Company, of Chicago.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Henry B. Horton and Charles E. Leonard, and their associates,* Corporators.

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| Name and style | successors and assigns, be and they are hereby created a body corporate and politic, under and by the name, style and title of "The National Printing Company, of Chicago," with perpetual succession; and, by that name, shall be and are hereby made capable to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law or equity in this state or elsewhere; to make, have and use a common seal, and the same to renew and alter at pleasure; |
| Corporate rights | 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. The capital stock of this company shall be one hundred thousand dollars, which may be increased, from time to time, at the pleasure of the corporators of said company, to any sum not exceeding five hundred thousand dollars, the same to be divided into shares of one hundred dollars each; and when- |
| Capital stock. | ever stock to the amount of twenty-five thousand dollars shall have been subscribed and paid in, it shall be lawful for said company to commence business under this act. The general office and principal place of business of said company shall be in the city of Chicago, Cook county, state of Illinois. |
| Object and purposes. | § 2. The object and purpose of said corporation shall be to carry on the publishing, printing, binding and stationery business, and all business pertaining to the manufacture and sale of books and stationery. And said corporation may, also, engage in the business of lithographing, electrotyping and engraving, and such other kindred matters as properly appertain to the general business of said corporation. |
| Powers, privileges, etc. | § 3. Said corporation shall have power to purchase and hold so much real estate and to erect suitable buildings thereon as shall be necessary to carry on its said business, not exceeding in value the sum of one hundred thousand dollars, to be used in and about carrying on its said business; and all real estate purchased under the provisions of this act may be sold, leased, aliened and conveyed, at the pleasure of the said "The National Printing Company, of Chicago;" and said company shall have power to lease such real estate and buildings as may be necessary to carry on the business of said company; and said company may sub-let or lease to other parties such apartments or rooms in their own building or buildings or in buildings leased by them, as may not be needed in and about the business of said company. |
| Possession of real estate. | § 4. Said company shall have power to purchase and hold all such real estate as may be sold under mortgage, trust deed, execution or other legal process, to secure and satisfy debts due to the said company. |
| Constitution and by-laws. | § 5. Said company may adopt a constitution and such by-laws, rules and regulations as may be necessary or convenient to further the objects of this incorporation and for |

the transaction of its business, not repugnant to the constitution and laws of this state or of the United States, and may alter and amend the same at pleasure; and may also appoint such officers, servants and agents as may be necessary to carry on the business of said company.

§ 6. Said company shall organize and commence business within two years from the passage of this act, otherwise this act shall be void and of no effect. Organization.

§ 7. This act shall take effect from and after its passage.
APPROVED February 23, 1867.

AN ACT to incorporate the Peoria Transcript Company.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Enoch Emory, Julius S. Star, Chas. B. Day and Thos. C. Moore, and their associates and successors and assigns, are hereby created a body corporate and politic, under and by the name, style and title of "The Peoria Transcript Company," with perpetual succession; and, by that name, be and are hereby made capable, in law and equity, to sue and be sued, plead and be impleaded, defend and be defended in all courts of law and equity in this state or elsewhere; to make, have and use a common seal, and the same to renew or 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. Corporators.

The capital stock of said company shall be sixty thousand dollars, which may be increased to one hundred thousand dollars, whenever it may be deemed necessary, to be divided into shares of one hundred dollars each; which capital shall be used mainly in the printing, publishing and binding business in the city of Peoria, county of Peoria, and the state of Illinois, and be invested in such engines, printing presses, machinery, type, paper, fixtures, and such other articles as may be necessary to carry on the printing, publishing and binding business. Name and style.
Corporate powers.
Capital stock.

§ 2. *And be it further enacted,* That the said company shall also have power to manufacture, in the city of Peoria or elsewhere, paper and such other articles as they may use in the business of printing, publishing and binding, as aforesaid, and shall have power to purchase and hold so much real estate and water power as may be necessary to carry out the provisions of this section. Business and operations.

Purchase of
real estate sold
under mort-
gage, etc.

§ 3. *And be it further enacted*, That the said company shall have power to purchase and hold all such real estate as may be sold under mortgage, trust deed, execution or other legal process, to secure and satisfy debts due to the said company.

Uses of.

§ 4. *And be it further enacted*, That the said company shall have power to purchase and hold so much real estate and lots, not exceeding two hundred (200) feet front on any street in the city of Peoria, and to erect suitable buildings thereon, the same to be used mainly in the printing, publishing, binding and manufacturing business, as aforesaid; and all real estate purchased under the provisions of the second, third and this section of this act, may be sold, alienated and conveyed, at the pleasure of the said Peoria Transcript Company. All deeds of such real estate shall be made

Deeds, conveyances, etc.

to said Peoria Transcript Company; and deeds and conveyances made by said company shall be authorized by vote of the stockholders, who own or legally represent at least two-thirds of the shares of the stock of the said company; and said deeds and conveyances shall be signed by the president and secretary of said company, and be attested by the corporate seal thereof.

Lease and sub-
letting of prop-
erty.

§ 5. *And be it further enacted*, That said company shall have power to lease such real estate and buildings as may be necessary to carry on the business of said company; and said company may sub-let or lease to others such apartments or rooms in their own building or buildings, leased by them, as may not be needed in the printing, publishing and binding business, as aforesaid.

Rules and regu-
lations.

§ 6. *And be it further enacted*, That the said company shall have power to make all needful and necessary rules for the regulation and direction of its affairs; and, when so made, they shall be binding upon the stockholders of said company; and said rules thereafter shall not be altered, changed or amended, except by vote of the stockholders owning or legally representing at least two-thirds of the shares of the stock of said company, at some regular meeting, of which due notice shall be given, in writing or otherwise, to all of said stockholders, at least ten days before such meeting.

Organization.

§ 7. *And be it further enacted*, that whenever stock to the amount of sixty thousand dollars shall have been subscribed and fifty per cent. thereof shall have been paid, it shall be lawful for the stockholders to commence business under this act; and they may elect and appoint a president, secretary and treasurer, and such other officers and servants as they may deem necessary, and fix their compensation and term of office, by such by-laws as they may make and establish; and the said stockholders shall be liable in proportion to the amount of stock severally held by them, for all debts contracted by the said corporation during the time

Officers, etc.

they were stockholders aforesaid and for six months after the assignments of the stock so held by them respectively.

§ 8. *And be it further enacted*, That whenever it shall be required of said company to certify to the publication of any advertisement published by them, a certificate, signed by the president and secretary of said company, shall be deemed and taken as a certificate of the publishers of said advertisement.

Certificate of advertisements

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

APPROVED February 25, 1867.

AN ACT to incorporate the Post Printing Company of Chicago.

In force Feb'y 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Hasbrouck Davis, Cyrene Blakely, and their associates, successors and assigns, are hereby created a body politic and corporate, under and by the name, style and title of the "Post

Corporators.

Printing Company," with perpetual succession; 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 all courts of law and equity in this state or elsewhere; to make, have and use a common seal, and the same to renew or 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. The capital

Name and style

stock of said company shall be one hundred and fifty thousand dollars; the same to be divided into shares of one hundred dollars each; which capital shall be used mainly in the printing, publishing and binding business, in the city of Chicago, county of Cook, and state of Illinois, and be invested in such engines, printing presses, machinery, types, paper, fixtures and such other articles as may be necessary to carry on the printing, publishing and binding business.

Corporate powers.

§ 2. The said company shall, also, have power to manufacture, in the city of Chicago or elsewhere, paper and such other articles as they may use in the business of printing, publishing and binding, as aforesaid; and shall have power to purchase and hold as much real estate and water power as may be necessary to carry out the provisions of article third.

Capital stock.

§ 3. The company shall have power to purchase and hold all such real estate as may be sold under mortgage, trust deed, execution or other legal process, to secure and satisfy debts due to the said company.

Business and operations.

May purchase real estate sold under mortgage, etc.

Buildings.

§ 4. The said company shall have power to purchase and hold so much real estate and lots in the city of Chicago as may be necessary to erect suitable buildings thereon—the same to be used mainly in the printing, publishing, binding and manufacturing business, as aforesaid. And all real estate purchased under the provisions of such fifth article or under those of article third and article fourth may be sold, aliened and conveyed, at the pleasure of said “Post Printing Company;” and all deeds of real estate shall be made to said “Post Printing Company;” and all deeds and conveyances made by said company shall be authorized by vote of the stockholders, who own or legally represent at least two-thirds of the shares of the stock of said company; and said deeds and conveyances shall be signed by the president and secretary of said company, and be attested by the corporate seal thereof.

Deeds, etc.

Buildings, lease of, etc.

§ 5. Said company shall have power to lease such real estate and buildings as may be necessary to carry on the business of said company; and said company may sub-let or lease to others such apartments or rooms in their own building or buildings leased by them, as may not be needed in the printing, publishing and binding business, as aforesaid.

Rules, etc.

§ 6. Said company shall have power to make all needful and necessary rules for the regulation and direction of its affairs; and, when so made, they shall be binding upon the stockholders of the said company; and said rules, thereafter, shall not be altered, changed or amended, except by vote of the stockholders owning or legally representing at least two-thirds of the shares of the stock of the said company, at some regular meeting, of which due notice shall be given, in writing or otherwise, to all of said stockholders, at least ten days before said meeting.

Time of commencing business.

§ 7. Whenever stock to the amount of fifty thousand dollars shall have been subscribed and twenty-five per cent. thereof shall have been paid, it shall be lawful for the stockholders to commence business under this act; and they may elect and appoint a president, secretary and treasurer, and such other officers and servants as they may deem necessary, and fix their compensation and terms of office by such by-laws as they may make and establish. And the liability of said stockholders shall be limited to the amount of stock severally held by them for all debts contracted by said corporation during the time they were stockholders, as aforesaid.

Officers.

§ 8. This act shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Galesburg Times Company.

In force March
7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas L. Clark, Seymour Arnold, Thomas McKee, Frank C. Smith, Daniel Meek, Martin B. Mason, George A. Charles, Zolotis Cooley and Stephen R. Smith, and their associates, successors and assigns, are hereby created a body corporate and politic, under and by the name, style and title of "The Galesburg Times Company," with perpetual succession; 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 all courts of law and equity in this state or elsewhere; to make, have and use a common seal, and the same to renew or 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. The capital stock of said company shall be one hundred thousand dollars; the same to be divided into shares of one hundred dollars each; which capital shall be used mainly in the printing, publishing and binding business, in the city of Galesburg, Knox county, state of Illinois, and be invested in such engines, printing presses, machinery, types, paper, fixtures and such other articles as may be necessary to carry on the printing, publishing and binding business.

Name, style and
title.

Corporate
powers.

§ 2. The said company shall also have the power to manufacture, in the city of Galesburg or elsewhere, paper, and such other articles as they may use in the business of printing, publishing and binding, as aforesaid; and shall have power to purchase and hold so much real estate as may be necessary to carry out the provisions of this section.

Business
powers.

§ 3. The said company shall have power to purchase and hold so much real estate and lots in the said city of Galesburg, and to erect suitable buildings thereon—the same to be used mainly in the printing, publishing, binding and manufacturing business, as aforesaid; and all real estate purchased under the provisions of this section and section two may be sold, aliened and conveyed, at the pleasure of said Galesburg Times Company. All deeds of real estate shall be made to said Galesburg Times Company; and deeds and conveyances made by said company shall be authorized by vote of the stockholders who own or legally represent at least two-thirds of the shares of the stock of said company; and said deeds and conveyances shall be signed by the president and secretary of said company, and be attested by the corporate seal thereof.

Possession of
real estate, etc.

Deeds, etc.

§ 4. Said Galesburg Times Company shall have power to lease such real estate and buildings as may be necessary to carry on the business of said company; and said com-

Lease.

pany may sublet or lease to others such apartments or rooms in their own buildings, or those leased by them, as may not be needed in the printing, publishing and binding business, as aforesaid.

Rules and regulations.

§ 5. The said company shall have power to make all needful and necessary rules for the regulation and direction of its affairs; and, when so made, they shall be binding upon the stockholders of said company; and said rules thereafter shall not be altered, changed or amended, except by a vote of the stockholders owning or legally representing at least two-thirds of the shares of the stock of the said company at some regular meeting, of which due notice shall be given, in writing or otherwise, to all of said stockholders, at least ten days before said meeting.

Organization and business.

§ 6. When stock to the amount of twenty thousand dollars shall have been subscribed and fifty per cent. thereof shall have been paid, it shall be lawful for the stockholders to commence business under this act; and they may elect and appoint a president, vice president, secretary and treasurer, and such other officers and servants as they may deem necessary, and fix their compensation and term of office, by such by-laws as they may make and establish; and the said stockholders shall be liable, in proportion to the amount of stock severally held by them, for all debts contracted by the said corporation during the time they were stockholders aforesaid and for six months after the assignment of the stock so held by them respectively.

Journal of proceedings.

§ 7. Said company shall, by its secretary, keep a journal, in which the proceedings of all meetings of the stockholders shall be recorded; which record, with all other books, papers and vouchers, shall be subject to inspection of any stockholder at all reasonable times.

§ 8. This act shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force March 7, 1867.

AN ACT to incorporate the Prairie Farmer Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Wallace W. Corbett, Henry D. Emery, Henry T. Thomas, Albert T. Emery and Joseph F. Bonfield, of Chicago, Illinois, and their associates, successors and assigns, are hereby created a body corporate and politic, under and by the name, style and title of "The Prairie Farmer Company," with perpetual succession; and by that name, shall be and are hereby rendered capable in law and equity to sue and

Corporate name and powers.

be sued, plead and be impleaded, defend and be defended in all courts of law or equity in this state, or elsewhere; to make, have and use a common seal, and the same to 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. The capital stock of said company shall be one hundred thousand dollars; the same to be divided into shares of one hundred dollars each; which capital shall be used mainly in the printing, publishing and binding business in the city of Chicago, county of Cook, and state of Illinois, and to be vested in such engines, printing presses, machinery, types, paper, fixtures and such other articles as may be necessary to carry out the provisions of this section.

Capital stock

§ 2. The said company shall also have power to manufacture, in the city of Chicago or elsewhere, paper and such other articles as they may use in the business of printing, publishing and binding, as aforesaid; and shall have power to purchase and hold so much real estate and water power as may be necessary to carry out the provisions of this section.

Business and operations.

§ 3. The said company shall have power to purchase and hold all such real estate as may be sold under mortgage, trust deed, execution or other legal process, to secure, and satisfy debts due the said company.

Possession of real estate, etc.

§ 4. The said company shall have power to purchase and hold so much real estate and lots, not exceeding two hundred (200) feet front, on any street in the city of Chicago, and to erect suitable buildings thereon, the same to be used mainly in the printing, publishing, binding and manufacturing business, as aforesaid. And all real estate purchased under the provisions of this act may be sold, aliened and conveyed, at the pleasure of said Prairie Farmer Company. All deeds of real estate shall be made to the Prairie Farmer Company; and deeds and conveyances by said company shall be authorized by vote of the stockholders who own or legally represent at least two-thirds of the shares of the stock of said company; and said deeds and conveyances shall be signed by the president and secretary of said company, and be attested by the corporate seal thereof.

Deeds, etc.

§ 5. Said Prairie Farmer Company shall have power to lease such real estate and buildings as may be necessary to carry on the business of said company; and said company may sub-let or lease to others such apartments or rooms in their own building or buildings, or in the building or buildings leased by them, as may not be needed in the printing, publishing or binding business as aforesaid.

Lease.

§ 6. The said company shall have power to make all needful and necessary rules for the regulation and direction of its affairs, and, when so made, they shall be binding upon the stockholders of said company; and said rules

Rules and regulations.

thereafter shall not be altered, changed or amended, except by vote of the stockholders owning or legally representing at least two-thirds of the shares of the stock of the said company, at some regular meeting, of which due notice shall be given, in writing or otherwise, to all of said stockholders at least ten days before said meeting.

Organization.

§ 7. Whenever stock to the amount of fifty thousand dollars shall have been subscribed, and fifty per cent. thereof shall have been paid, it shall be lawful for the stockholders to commence business under this act, and they may elect or appoint a president, secretary and treasurer and such other officers and servants as may be deemed necessary, and fix their compensation and term of office, by such by-laws as they may make and establish; and the said stockholders shall be liable, in proportion to the amount of stock severally held by them, for all debts contracted by the said corporation during the term they were stockholders and for six months after the assignment of the stock so held by them respectively.

Stockholders' liabilities.

Journal of proceedings.

§ 8. Said company shall by its secretary keep a journal, in which the proceedings of all meetings of the stockholders shall be recorded, which record, with all other books, papers and vouchers, shall be subject to the inspection of any stockholder at all reasonable times.

Certificates of publication of advertisements

§ 9. Whenever it shall be required of said company to certify to the publication of any advertisement published by them, a certificate, signed by the president and secretary of said company, shall be deemed and taken as a certificate of the publishers of said advertisement.

§ 10. This act shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force March 7, 1867.

AN ACT to incorporate the East Saint Louis Tribune Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That E. W. Wider, Vital Jarrott, George H. Bender, N. Spannagel, and such other persons as shall become stockholders in the corporation hereby created, are hereby made and constituted a body corporate and politic, by the name of "The East St. Louis Tribune Company;" and, as such corporation, may have perpetual succession, sue and be sued, have a common seal, make by-laws, and have and exercise all the powers of a body corporate and politic necessary to carry into effect the provisions of this act.*

Corporate name and powers.

Capital stock.

§ 2. The capital stock of said company shall be thirty thousand dollars, to be divided into shares of one hundred

dollars each, to be deemed personal property, and transferable, as such, on the books of the company, in the manner and subject to the rules and regulations provided by the by-laws. The capital stock of said company may be increased, by a vote of the stockholders, from time to time, to an amount not exceeding in the aggregate, one hundred thousand dollars. Each share of stock shall entitle the holder thereof to one vote in the election of directors or to increase the capital stock. The capital stock shall be paid in at the time and in the installments required by the directors.

§ 3. The corporate powers of said company shall be exercised by a board of five directors, who shall be elected by the stockholders; and they may appoint other officers and agents and prescribe their powers and duties. Directors.

§ 4. Said company shall be authorized to publish a newspaper in East St. Louis, in the State of Illinois, either daily, weekly, or otherwise; and may establish, maintain and operate a printing office, for the printing of the same or for the doing of job printing; and may employ machinery in and about the same. They shall be authorized to manufacture paper, ink, type or other articles used about their said business. They shall be authorized to make any and all necessary arrangements for the procurement of news for their said paper, and may own, occupy or hire so much real estate as shall be deemed necessary for their business, and may erect thereon all necessary buildings, and lease out such portions of the same as shall not be required for their printing office: *Provided*, that they shall not own at any one time real estate to exceed in value fifty thousand dollars. Business and affairs.

§ 5. This act shall be a public act, and be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Quincy Times Company.

In force May 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Francis A. Eastman, and such other persons as he may associate with him, and their successors and assigns, are hereby created a body corporate and politic, under the style and title of "The Quincy Times Company," with perpetual succession; and, by that name, they are hereby made capable, in law and equity, to sue and be sued, plead and be impleaded, defend and be defended in all courts in this state or elsewhere; to make, have and use a common seal, and the same to renew and alter at pleasure; and they are Corporators.

Name, style and title.

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|--|---|
| Corporate powers. | hereby vested with all the powers, privileges and immunities which are or may be necessary to carry into effect the |
| Capital stock. | purposes and objects of this act. The capital stock of said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, which capital shall be used, mainly, in the printing, publishing and binding business, in the city of Quincy, and county of |
| Investment of. | Adams, and be invested in such buildings, engines, printing presses, machinery, types, paper, fixtures and such other articles as may be necessary to carry on the printing, publishing and binding business. |
| Business and operations. | § 2. The said company shall, also, have the power to manufacture, in the city of Quincy or elsewhere, [paper] and such other articles as may be used in the business of printing, publishing and binding, as aforesaid; and shall have the power to purchase, hold and convey such real estate or water power as may be necessary to carry out the provisions of this section. |
| Real estate—purchase, conveyance, lease, sub-let, etc. | § 3. The said company shall have power to purchase, hold and convey so much real estate and lots in said city of Quincy, and to erect suitable buildings thereon, as may be needed for the purposes of their business, and to lease and sub-let the same, or any part thereof. And all real estate, so purchased, or otherwise, may be sold and conveyed at the pleasure of said company; and deeds or conveyances made by said company shall be authorized by vote of the stockholders who represent two-thirds of the shares of the stock of the same. Said deeds and conveyances to be signed by the president and secretary of said company and attested by the corporate seal thereof. |
| May lease or rent property, etc. | § 4. Said Times company shall have power to lease or rent such real estate and buildings, as may be necessary to carry on the business of said company as aforesaid. |
| Rules, etc. | § 5. The said company shall have power to make all needful rules and by-laws for the regulation and direction of its affairs, and, when so made, they shall be binding upon the stockholders of said company and shall not be altered or amended, except by a vote of stockholders representing at least two-thirds of the stock, at some regular meeting, of which due notice shall be given, in writing or otherwise, to all of said stockholders, at least ten days before said meeting. |
| Organization. | § 6. Whenever stock amounting to fifteen thousand dollars shall have been subscribed and fifty per cent. thereof paid in, it shall be lawful for the stockholders to commence business under this act; and they may elect or appoint a president, secretary and treasurer, and such other officers and servants as they may deem necessary, and fix their compensation and term of office. And the said stockholders shall be liable, in proportion to the amount of stock held by them, respectively, for all debts contracted by said com- |
| Shareholders' liabilities. | |

pany during the time they were stockholders, and for six months after the assignment of the stock so held by them respectively.

§ 7. Said company shall keep a record of its proceedings, which record, with all other books, papers and vouchers shall be subject, at all reasonable times, to the inspection of the stockholders or any one of them.

Record of proceedings.

APPROVED March 7, 1867.

AN ACT to incorporate the North Western Associated Press.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John L. Wilson, James F. Balantyne, Edward Russell, E. Emery, Edward L. Baker, Edward L. Meritt, and such other persons as they may associate with themselves, by virtue of this act, be and they are hereby created and declared a body politic and corporate, under the name and style of "The North Western Associated Press," with power to have a corporate seal, and to alter the same at pleasure; with capacity to sue and be sued, to implead and be impleaded in all courts and places whatsoever; to take, hold and dispose of real and personal estate, and to do all acts and things as natural persons may do, and, for that purpose to make and enforce such by-laws as may be necessary to carry into full operation the purposes of this act, not inconsistent with the constitution and laws of the United States or of this state.

Corporators.

Name and style

Powers

By-laws.

§ 2. The object of said corporation shall be the procuring, dissemination and publication of general news and intelligence for and through the newspaper press of the north western states, making use of the telegraph, or otherwise, and employing such means and agencies, on such terms of supply, service and compensation, as the by-laws, orders and regulations thereof shall prescribe.

Object.

§ 3. The capital stock of said corporation shall be twenty thousand dollars (\$20,000), in shares of twenty-five dollars each, and may be increased, from time to time, as the business of said corporation may require, on the vote of at least three-fourths of the stockholders, at any regular meeting of stockholders, three months' notice being given by such publication as the by-laws shall prescribe.

Capital stock.

§ 4. The corporators herein named shall be the first board of directors of said corporation. They shall meet and organize, on the call of the directors herein first named, who shall be their first president, and shall call a meeting of all the daily newspapers in the north western states, by

Organization.

- their proper representatives, to be holden in the city of Chicago, on or before the first day of March next. They shall open books of subscription and fix the terms thereof and the amount and times of payment: *Provided*, the payment on subscribing shall not exceed ten per cent.: *And provided, further*, That all capital stock shall be divided equally among all the daily newspapers of the northwestern states who shall desire to become subscribers therefor.
- Officers.** § 5. The stockholders shall, at such meeting, elect five directors, who shall serve one year and until their successors are elected and qualified. The directors shall organize their board by electing of their own number a president, secretary and treasurer, and may, from time to time, appoint such officers and agents as may be required.
- Vacancies.** § 6. The board of directors may fill vacancies in their own number and in any office or place within their appointment. A majority of corporators herein named and of the board of directors shall be a quorum for the transaction of business.
- Meetings.** § 7. Stockholders' meetings, for election of directors and the transaction of business, shall be held annually, at which the directors shall make full report of their proceedings for the year.
- § 8. This act shall be deemed a public act, for all purposes, and shall be in force from and after its passage.

APPROVED February 25, 1867.

In force May 1. 1867. AN ACT to incorporate the Franklin Printing and Publishing Company.

- Corporators.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Rufus King, John Norris and Theodore Oliver, and their associates, are hereby created a body corporate and politic, under the name and style of "The Franklin Printing and Publishing Company;" and shall have perpetual succession, and, by their corporate name and style, shall be capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended in any court of law or equity; may have and use a common seal, which they may alter at pleasure; and shall have all the powers, privileges and immunities necessary to carry into effect the objects of this act and the powers hereby granted. The office of this association shall be located at Chicago, Illinois.
- Name and style**
- Powers.**
- Place of office.**
- Business and operations.** § 2. Said company shall have power to carry on the printing business, in all its branches, and to manufacture and vend paper and printing material of all kinds, and to publish books and periodicals; and any weekly periodical

which they shall publish, shall be the proper medium for the publication of legal notices of the county. The affairs of the company shall be managed by a board of three or more directors, as shall be fixed by the by-laws of said company.

§ 3. The capital stock of said company shall be twenty-five thousand dollars, but may be increased, by a vote of the stockholders representing a majority of the stock. The capital stock shall be divided into shares of one hundred dollars each. The name of said company may be changed, in like manner but it shall not affect the validity or enforcement of liabilities against said company. Capital stock.

§ 4. Said company shall have power to purchase, hold and convey property, real, personal and mixed, and to borrow money and mortgage or pledge their property to secure the payment thereof. Indebtedness.

§ 5. The persons named in the first section hereof, or a majority of them, or such persons as they, or majority of them, shall designate or appoint, shall be commissioners to receive subscriptions to the capital stock of said company. Stock subscription.

§ 6. Said company shall have power to appoint such officers and agents, as shall be deemed necessary for the purposes hereof. Officers, agents, etc.

APPROVED March 1, 1867.

AN ACT to incorporate the Macoupin Printing Company.

In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Henry M. Kimball and Alansing W. Edwards, and their associates and successors and assigns, are hereby created a body corporate and politic, under and by the name, style and title of "The Macoupin Printing Company," with perpetual succession; 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 all courts of law and equity in this state or elsewhere; to make, have and use a common seal, and the same to renew or 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. The capital stock of said company may be twenty-five thousand dollars; the same to be divided into shares of twenty-five dollars each; which capital shall be used, mainly, in the printing, publishing and binding business in the city of Carlinville, Macoupin county, Illinois, and be invested in such engines, printing presses, machi- Corporators.

Name and style

Powers.

Capital stock.

nery, types, proper fixtures and such other articles as may be necessary to carry on the printing, publishing and binding business.

Business and
operations.

§ 2. The said company shall also have power to manufacture, in the city of Carlinville or elsewhere, paper and such other articles as they may use in their business of printing, publishing and binding, as aforesaid; and shall have power to purchase and hold so much real estate and water power, as may, in the judgment of said company, be necessary to carry out the provisions of this act.

Possession of
property.

§ 3. That said company shall have power to purchase and hold all such real estate as may be sold under mortgage, trust deed, execution or other legal process, to secure and satisfy debts due to the said company.

Buildings, etc.
—use of.

§ 4. The said company shall have power to erect suitable buildings on their real estate, the same to be used, mainly, in the printing, publishing, binding and manufacturing business, as aforesaid. And all real estate purchased under the provisions of this act may be sold, alienated and conveyed, at the pleasure of said company. All deeds of real estate shall be made to said company; and deeds and conveyances made by said company shall be authorized by vote of the stockholders who own or legally represent at least two-thirds of the shares of the stock of said company; and said deeds and conveyances shall be signed by the president and secretary of said company, and be attested by the corporate seal thereof.

Leases.

§ 5. Said company shall have power to lease such real estate and buildings as may be necessary to carry on the business of said company; and said company may sublet or lease to others such apartments or rooms in their own building or buildings leased by them as may not be needed in the printing, publishing, binding and manufacturing business as aforesaid.

Regulations.

§ 6. The said company shall have power to make all needful and necessary rules for the regulation and direction of its affairs, and when so made they shall be binding upon the stockholders of the said company; and said rules thereafter shall not be altered, changed or amended, except by vote of the stockholders owning or legally representing at least two-thirds of the shares of the stock of said company, at some regular meeting, of which due notice shall be given, in writing or otherwise, to all of said stockholders, at least ten days before said meeting.

Commencement
of business.

§ 7. Whenever stock to the amount of two thousand dollars shall have been subscribed and fifty per cent. thereof shall have been paid by all or a part of said stockholders, it shall be lawful for the stockholders to commence business under this act; and they may elect and appoint a president, secretary and treasurer, and such other officers and servants as they may deem necessary, and fix their compensation

and term of office, by such by-laws as they make and establish. And the said stockholders shall be liable, in proportion to the amount of stock severally held by them, for all debts contracted by the said corporation during the time they were stockholders aforesaid, and for six months after the assignment of the stock so held by them respectively.

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

APPROVED March 5, 1867.

AN ACT to incorporate the Chicago Newspaper Company, called the Chicago Age. in force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Ananias Worden, S. Staats Taylor, H. M. Vandever, Charles Keys, Orlando B. Ficklin, William M. Springer, and James Dunlap, and their associates, successors and assigns, are hereby created a body corporate and politic, under and by the name, style and title of "The Chicago Age," with perpetual succession; and, by that name shall be and are hereby made a body capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law or equity in this state or elsewhere; to make, have and use a common seal, and the same to renew or 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. The capital stock of said company shall be (\$200,000) two hundred thousand dollars—the same to be divided into shares of (\$50) fifty dollars each; which capital shall be used, mainly, in the printing, publishing and binding business, in the city of Chicago, Cook county, and state of Illinois, and be invested in such engines, printing presses, machinery, types, paper, fixtures and such other articles as may be necessary to carry on the printing, publishing and binding business.

§ 2. The said company shall also have power to manufacture, in the city of Chicago or elsewhere, paper and such other articles as they may use in the business of printing, publishing and binding, as aforesaid; and shall have power to purchase and hold so much real estate or water power as may be necessary to carry out the provisions of this section.

§ 3. The said company shall have power to purchase and hold so much real estate and lots in the said city of Chicago, and to erect suitable buildings thereon, the same

Sale, etc. to be used, mainly, in the printing, publishing, binding and manufacturing business, as aforesaid. And all real estate purchased under the provisions of this section and section two may be sold, aliened and conveyed, at the pleasure of said company. All deeds of real estate shall be made to said company. And deeds and conveyances made by said company shall be authorized by vote of the stockholders who own or legally represent at least two-thirds of the stock of said company; and said deeds and conveyances shall be signed by the president and secretary of said company, and be attested by the corporate seal thereof.

Leases. § 4. Said company shall have power to lease such real estate and buildings as may be necessary to carry on the business of said company; and said company may sub-let or lease to others such apartments or rooms in their own buildings, leased by them, as may not be needed in the printing, publishing and binding business, as aforesaid.

Rules, etc. § 5. The said company shall have power to make all needful and necessary rules for the regulation and direction of its affairs, and, when so made, they shall be binding upon the stockholders of said company; and said rules thereafter shall not be altered, changed or amended, except by vote of the stockholders owning or legally representing at least two-thirds of the stock of said company, at some regular meeting, of which due notice shall be given, in writing or otherwise, to all of said stockholders, at least ten days before said meeting.

Commencement of business. § 6. Whenever stock to the amount of (\$75,000) seventy-five thousand dollars have been subscribed and fifty per cent. thereof shall have been paid, it shall be lawful for the stockholders to commence business under this act, and they may elect and appoint a president, secretary and treasurer, and such other officers and servants as they may deem necessary, and fix their compensation and term of office, by such by-laws as they may make and establish; and the said stockholders shall be liable, in proportion to the amount of stock severally held by them, for all debts contracted by the said corporation during the time they were stockholders aforesaid and for six months after the assignment of the stock so held by them respectively; but shall not, in any way or respect, be liable for more than the amount of their stock remaining unpaid.

Journal of proceedings. § 7. Said company shall, by its secretary, keep a journal, in which the proceedings of all meetings of the stockholders shall be recorded; which record, with all other books, papers and vouchers, shall be subject to the inspection of any stockholder at all reasonable times.

Directors—duties of. § 8. There shall be appointed, annually, by a majority of the stockholders of said company, a board of directors, composed of not less than three nor more than five persons, whose duty shall be to manage, direct and control the

business affairs of said company ; and the said directors, or a majority of them, shall have power to make all needful rules and regulations and to make any and all contracts, in the name of the said company, necessary to the carrying on of the business of the said company. The said directors shall cause the treasurer of said company to give bond for the faithful performance of his duty in such sum or sums as they may deem proper. The said directors, or any one of them, may at any time be removed by a vote of a majority of the stockholders of said company.

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

APPROVED March 5, 1867.

AN ACT to incorporate the Hancock Branch Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That *Bryant* Corporators.
T. Scofield, Hiram G. Forris, Phineas Kimball, jr., Alexander Sympton, Wm. A. Patterson, Francis M. Corby, Addison Graws, David Mack, and George Edmonds, jr., of Hancock county, Illinois, be and they are hereby created a body corporate and politic, by the name and style of "The Hancock Branch Railroad Company," and, by that name, Name and style
they and their associates, successors and assigns, shall have perpetual succession ; may sue and be sued, plead and be Powers.
impleaded, contract and be contracted with ; may adopt a common seal, and alter the same at pleasure ; may receive, either by gift or purchase, or may condemn and hold or sell and convey any and all real and personal property that may be necessary to the location, construction, equipment and operation of a railroad, as herein authorized, its depots, water stations, sidetracks, shops and business places. One member of said company shall be annually elected president of said company ; and said company may elect or appoint such other officers as a majority of said company shall from time to time see proper, and fix their duties and salaries, and remove them at pleasure ; may pass all needful by-laws for the management of the concerns of said company, not inconsistent with the laws of this state. Said company may locate, construct, equip and operate a railroad, with single or double track, from any point on the Quincy and Chicago Railroad, between the towns of Bushnell, in McDonough county, and Plymouth, in Hancock county, by such routes as they shall select, to the Mississippi river, at the city of Warsaw or Nauvoo, in Hancock county, or at any point between said cities of Warsaw and Nauvoo ; may fix the capital stock of said company at any President.
Other officers.
Business powers.

amount that may be deemed necessary for the location, construction, equipment and operation of said railroad, and may increase or diminish the same whenever it is deemed advisable or necessary to the completion and operation of said railroad; may connect or consolidate with any other railroad or any bridge company; may lease or sell its road or franchises. The stock of said company shall be divided into shares of one hundred dollars each, and shall be personal property, and transferable on the books of said company. Each share shall be entitled to one vote at all elections of said company. May borrow money for the construction, equipment and operation of said railroad, and mortgage or give deed of trust on its property and franchises to secure the loan, and, in all respects, shall have all the powers, rights and privileges, in and about the location, construction, equipment and operation of said railroad and management of the business thereof, as are provided by the general laws of this state in relation to railroads and right of way for internal improvements, and, also, all the rights, powers and privileges now possessed by the Chicago, Burlington and Quincy Railroad Company and the Quincy and Chicago Railroad Company, by virtue of any charter or charters or amendments thereof under which the railroad, or any part thereof, between Chicago and Burlington or Galesburg and Quincy, was constructed and has since been operated, the same as if specifically provided in this act.

§ 2. This act shall be deemed and held a public act, and be in force from and after its passage. Said company shall commence the construction of said railroad within two years and complete the same within ten years after the passage of this act.

§ 3. This act and all powers and rights derived thereunder shall forever be and remain subject to all future legislation of this state upon the subject of rates of fare for passengers and freights.

This bill having remained with the governor from the last day of the regular session of the twenty-fifth general assembly, who, by their adjournment, prevented its return within ten days, and not having been returned on the first day of the meeting of the general assembly, after the expiration of said ten days, has become a law, and is filed in this office, this 12th day of June, A. D., 1867. SHARON TYNDAL, Sec'y of State.

In force Feb'y
25, 1867.

AN ACT to incorporate the Peoria and Wenona Railroad Company.

Corporators.

Corporate name
and powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edmund Quincy, Joseph B. Chandler, Jacob C. Garrigers and Silas Ramsey, of Lacon, Charles B. Dean, of Peoria, and John A. McCall, of Wenona, and their associates, successors and assigns are hereby created a body corporate and politic, under the name and style of "The Peoria and Wenona Railroad Company," with perpetual succession; and, by that name, be

and they are hereby made capable in law and in equity to sue and be sued, plead and be impleaded, defend and be defended in any court of law or equity in this state; to have and use a common seal, and the same to renew and alter at pleasure; and shall be and are hereby vested with all powers 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 and construct and finally complete and put in operation a railroad from the city of Peoria, in the county of Peoria, in the state of Illinois, to Wenona, in the county of Marshall, in said state of Illinois; and, for this purpose, the said company are authorized, upon the most eligible route, to lay out their said railroad, not exceeding one hundred and fifty feet in width, through the whole length; and for the purpose of erecting embankments, may take as much more land as may be necessary for the proper construction and security of said road.

Construction of
road—lands
taken, etc.

§ 2. The capital stock of said company shall be one million of dollars; which said capital stock may, by order of the board of directors, be increased, when deemed necessary, to any amount not exceeding the actual *bona fide* estimated cost of construction and equipment of said road. Any subscription to the increased capital stock may be made, from time to time, as may be ordered and directed by the board of directors of said company. The stock of said company shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued, certified and registered and transferred in such manner and at such places as may be ordered and provided by the board of directors, who shall have power to require the payment of the stock subscribed in the manner and at the time and in such sums as they may direct; and on the refusal or neglect on the part of stockholders or any of them to make payment, on the requisitions of the board of directors, the share of such delinquent may, after thirty days' notice, be sold at public auction, under such rules as the directors may adopt—the surplus money, if any remains after deducting the payments due with the interest and necessary costs of sale, be paid to the delinquent stockholder. The board of directors hereinafter named and approved shall cause books to be opened for subscription to the capital stock of said company at such times and places and in such manner as they may direct.

Capital stock.

Subscriptions.

Payment of
stock.

Delinquents.

Surplus money.

Books for sub-
scription.

Directors.

§ 3. All the corporate powers of said company shall be vested in and exercised by a board of directors of not less than five nor more than seven in number, and such other officers, agents and servants as they shall appoint. The first board of directors shall consist of Charles B. Dean, Silas Ramsey, Edmund Quincy, Joseph B. Chandler,

Jacob C. Garrigers and John A. McCall, who shall hold their offices until their successors are elected and qualified. Vacancies in the board may be filled by a vote of two-thirds of the directors remaining—such appointees to continue in office until the next regular annual election of directors. The time, place and notice of said annual election to be determined by the said board of directors.

Vacancies.

Annual meet-
ings.

Surveys, etc.

§ 4. The said company is hereby authorized, by their agents, surveyors and engineers, to cause such examination and survey, to be made of the ground and country between the city of Peoria and the town of Wenona as shall be necessary to determine the best route for the proper line or course whereon to construct their said railroad; and it shall be lawful for said company to enter upon and take possession of and use all such land and real estate as may be necessary for the construction, maintenance of their said railroad, its depots, side-tracks, water stations, engine houses, machine shops and other buildings and appendages necessary to the construction and working 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 accommodation of said railroad, or upon which the site for which said railroad shall have been located or determined by the said corporation, shall be paid for by said company; and all lands entered upon and taken for the use of said corporation, which are not donated to said company, shall be paid for by said corporation; and in case of disagreement between the owners of said land and the said company, and in case of disagreement between said company and the owner or owners of land taken for the use of said company, the price shall be assessed, fixed and recorded in the manner provided in the act to provide for a general system of internal improvements, approved November, 1849.

Possession of
real estate.

Property, etc.
vested rights.

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

Transportation.

§ 6. That the said corporation may take and transport upon said railroad any person or persons, merchandise or other property, by the force and power of steam or animal, and may fix, establish, take and receive such rates of toll for all passengers and property transported upon the same as the said directors may establish; and the said 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 transferable in such manner as shall be provided by the by-laws and ordinances of said company. Shares transferable.

§ 7. In case it should at any time happen that an election of directors shall not be made any day in pursuance of this act it should be made, the said corporation for that cause shall not be deemed dissolved, but such election shall be held at any other time directed by the by-laws of said corporation. Dissolution of corporation.

§ 8. Whenever it shall be necessary for the construction of the said railroad to intersect or cross the track of any other railroad or any stream of water or water-course or road or highway on the route of said railroad, it shall be lawful for the company to construct their said railroad across or upon the same: *Provided*, that in crossing any stream of water with their said railroad the said company shall have the right to tunnel said stream or to construct a bridge across the same, so as to admit the crossing of their locomotives, tenders, and cars, and also to permit teams and all animals and foot passengers to cross upon the same: *Provided*, if their said railroad shall cross a navigable stream of water they shall construct a suitable draw in the same, which shall be governed by the same rules and regulations as the bridge across the Illinois river, at the city of Peoria, and shall have a draw of the same width. Intersections.
Proviso.
Draws.

§ 9. Said company shall have power to unite its railroad with any other railroad or railroads, now constructing or which may hereafter be constructed within this state, which may cross or intersect the same on its line, upon such terms as may be mutually agreed upon between the companies so connecting; and, for that purpose, full power is hereby given to said company to make and execute such contracts with any other company or companies as will secure the objects of such connections. Connections.

§ 10. Said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for completing and finishing and operating their said railroad, and to issue and dispose of their bonds in denominations of not less than five hundred dollars, bearing a rate of interest not exceeding ten per centum per annum, for any amount so borrowed, and to mortgage the corporate property and franchises or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purposes aforesaid; and the directors of said company may confer on any bondholder of any bond issued for money borrowed as aforesaid the right to convert the principal due or owing thereon into stock of said company at any time not exceeding ten years from the date of the bond, under such regulations as the directors of said company may see fit to adopt; and all the sales of such bonds that may be made at less than their par value shall Indebtedness.

be good and valid and binding upon such corporation as if such bonds had been sold for the full amount thereof.

Officers and gov-
ernment.

§ 11. Every conductor, baggage master, engineer, brakeman, or other servant of said corporation, employed in a passenger train or at stations for passengers, shall wear on his hat or cap a badge, which shall indicate his office, the initial or style of the corporation. No conductor or collector, without such badge, shall demand or be entitled to receive from any passenger any fare, toll or ticket, or exercise any of the powers of said office; and no other officer or servant, without said badge, shall have any authority to meddle or interfere with any passenger, his baggage or property. Forming passenger trains, baggage or freight or merchandise or lumber cars shall not be placed in rear of passenger cars; and if any accident shall happen to life or limb the officer or agent who so directed or knowingly suffered such an arrangement and the conductor or engineer of the train shall be each and all held guilty of a misdemeanor and be punished accordingly.

Bells, whistles,
etc.

§ 12. A bell of at least thirty pounds' weight or a steam whistle shall be placed upon each locomotive engine, and shall be rung or whistled at the distance of at least eighty rods from the place where said road shall cross any road or street, and be kept ringing or whistling at intervals until it shall have crossed said road or street, under a penalty of fifty dollars for every neglect, to be paid by said corporation—one half to go to the informer and the other half to the state, and to be liable for all damages which shall be sustained by any person by reason of such neglect. Said corporation shall cause boards to be placed and supported by posts or otherwise and constantly maintained across each public road or street where the same is crossed by the railroad, on such elevation as not to obstruct the travel and to be easily seen by travelers. On each side of said board shall be painted in capital letters, of at least the size of nine inches each, the words "Railroad Crossing"—"Look out for the Cars." But this provision not apply to streets in cities or villages, unless the corporation shall be required to put such boards by the officers having charge of such streets.

Neglect of rules

Damages.

Cross boards—
"R.R. crossing
—look out for
the cars."

Width of road.

§ 13. The width of said road is to be determined by the said corporation within the limits prescribed by the first section of this act.

Organization.

§ 14. The directors herein named are required to organize the board by electing one of their number president and by appointing a secretary and treasurer.

Eligibility to
office.

§ 15. None but stockholders in said company shall be eligible to the office of director in the same.

Construction of
act.

§ 16. This act shall be deemed a public act, and shall be favorably construed for all purposes therein expressed and declared in all courts and places whatever, and shall be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Lostant and Kankakee Railroad Company. In force March 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That D. B. Clark, O. M. Kistler, Isaac Vale, Robert Dugan, J. M. Richey, A. Reynolds, Geo. Dixon, Thos. Phillips, N. Dugan, Ephraim Reynolds, John L. Dunham, Geo. W. Keller, Geo. R. Belford, Geo. W. Galloway, E. G. Narramour, Wm. Lauf, Arnold Thornton, H. H. Hiltabrand, O. L. Abbott, H. G. Koon, A. W. Mack, Wm. Strawn, E. C. Wood and W. B. Burns, and such other persons as may associate with them for that purpose, are hereby made and constituted a body corporate and politic by the name and style of "The Lostant and Kankakee Railroad Company,"* with perpetual succession; and, by that name and style, shall be capable in law of taking, purchasing, holding, leasing, selling and conveying estate and property, whether real, personal or mixed, so far as the same may be necessary for the purpose hereinafter mentioned and no further; and, in their corporate name, may sue and be sued; to have a common seal, which they may alter or renew at pleasure, and may have and exercise all powers, rights, privileges and immunities which are or may be necessary to carry into effect the purpose and object of this act, as the same are hereinafter set forth.

Name and style

Powers of corporation.

§ 2. The Lostant and Kankakee Railroad Company shall have full power and authority to locate, construct, furnish and maintain a railroad, with one or more tracks, commencing at or near the town of Lostant and running from thence upon a route to be by said company selected to the city of Kankakee, in this state; and to take and carry property and persons upon said railroad, by power or force of steam or of animal or of any mechanical or other power or combination of the same, which said company may choose to use or apply; and, for the purpose of constructing said railroad, said company shall have authority and power to lay out, designate and establish their road, in width not exceeding one hundred and fifty feet, through the entire line thereof; and may take and appropriate to their own use all such lands so designated for the line and construction of said road, upon first paying or tendering therefor such amount of damage as shall have been settled by appraisal, in the manner hereafter provided, on all such lands as may be taken, or upon any track which may be located by said company; and, for the purpose of cuttings and embankments and for the purpose of obtaining of stone and gravel, may take and appropriate as much more of land as may be necessary for the proper construction, maintenance and security of said road, and for constructing shops, depots and other suitable, proper and convenient fixtures, in connection with and appurte-

Location.

Powers, of locomotion.

Condemned lands.

Compensation.

Privileges.

nances to said railroad; may take and have, use and occupy any lands, upon either side of said railroad, not exceeding two hundred feet in depth from said railroad—said company taking all such lands as gifts or purchasing or making satisfaction for the same, in the manner hereafter provided; *Provided*, that this section shall not be construed to restrict or prevent the construction of public roads or canals or railroads across the road of said company, when deemed expedient, but so as not materially impair or obstruct the same.

Right of way.

§ 3. That the right of way and the real estate purchased for the right of way by said company, whether by mutual agreement or otherwise, or which shall become the property of the company by operation of law, as in this act provided, shall, upon the payment of the amount of money belonging to the owner or owners of said land, as a compensation for the same, become the property of said company in fee simple.

Surveys.

§ 4. The said company, and under their direction, agents, servants and workmen, are hereby authorized and empowered to enter into and upon the lands and grounds of or belonging to the state or to any person or persons, bodies politic or corporate, and survey and take levels of the same or any part thereof, and to set out and ascertain such parts as they shall think necessary and proper for making such railroad, with one or more sets of tracks or rails, and for all the purposes connected with said railroad for which the said corporation, by the second preceding section, is authorized to have, take and appropriate any

To enter upon lands.

Damages.

lands and to fell and cut down all timber and other trees standing or being within one hundred feet on each side of said line of said railroad. The damages occasioned by the felling of such trees, unless otherwise settled, to be assessed and paid in manner hereafter provided for assessing and paying damages for lands taken for the use of said railroad company; and also to make, build, erect and set up in and upon the route of said railroad or upon the land adjoining or near the same, all such works, ways, roads and conveniences as may be requisite and convenient for the purpose of said

Alterations.

railroad, and, also, from time to time, to alter, repair, amend, widen or enlarge the same or any of the conveniences above mentioned, as well for the carrying, conveying goods, commodities, timber or other things to and upon the said railroad as for carrying or conveying all manner of material necessary for making, erecting, furnishing, altering, repairing, amending or enlarging the works of or connected with said railroad, and to contract and agree with the owner or owners thereof, for either timber, gravel, stone or other materials or any articles whatever which may be wanted in the construction or repair of said railroad or any of its appurtenances—they, the said company, doing as little damage as possible in the execution of the said powers hereby

Contract for materials—repairs

granted, and making satisfaction, in the manner hereafter mentioned, for all damages to be sustained by the owners or occupiers of said land.

§ 5. The said company shall have power and authority to receive, take and hold all such voluntary grants and donations of land and real estate, for the purpose of said railroad, as may or shall be made to said company in the construction, maintenance and accommodation of said railroad; and said company may contract and agree with the owners or occupiers of any land upon which said company may wish to construct said railroad or any which said company may wish to use or occupy for the purpose of procuring stone, sand and gravel, or either, or other materials, to be used in embankments or otherwise in or about the construction, repair or enjoyment of said railroad, or which said company may wish to use or occupy in any manner or for any purpose or purposes connected with said railroad, for which said company is empowered and authorized by this act to take, have or appropriate any lands, and to receive and take grants and conveyances of any and all interests and estate therein, and to them and to their successors or assigns, in fee, or otherwise; and in case said company can not agree with such owners or occupiers of such lands, as aforesaid, so as to procure the same by the voluntary deed or act of such owners or occupiers thereof, or if the owners or occupiers, on any or either of them, be a *femme covert*, infant, *non compos mentis*, unknown, or out of the county in which the land or property wanted may lie or be situated, the same may be taken and paid for, if any damages are awarded, in the manner provided for in an act to provide for a general system of railroad incorporations, approved Nov. 5, 1849, or any amendments which may have since been made thereto, or by any other act that may have been or may hereafter be passed by the general assembly of the state of Illinois, to enable railroad companies to appropriate lands for the purposes aforesaid; and the final decision or award shall vest in the corporation hereby created all the rights, privileges, franchises and immunities in said acts contemplated and *provided*; that any appeal that may be allowed under the provisions of the act or acts above recited or by virtue of any general law of this state, shall not affect the possession of said company of the land appraised; and when the appeal may be taken or writ of error prosecuted by any person or persons other than the said company, the same shall not be allowed, except on the stipulation of parties so appealing or prosecuting such writ of error that the said company may enter upon and use the lands described in the petition, for the use and purposes herein set forth, upon said company giving bond and security, approved by the clerk of said court, that they will pay to the party so appealing or prosecuting such writ of error all costs and damages

Grants, etc.

Powers conferred.

Privileges, et c.

Appeals.

that may be awarded against them on the final hearing of such appeal or writ of error within thirty days after the rendition thereof or forfeit all right to use the lands or way so condemned.

Capital stock.

§ 6. The capital stock of said company shall be three hundred thousand dollars; which said capital stock may, by order of the board of directors, be increased, when deemed necessary, to any amount not exceeding the actual *bona fide* estimated cost of constructing and equipping the road; and subscription to the increased capital stock may be made, from time to time, as may be ordered and directed by the board of directors; which stock shall be divided into shares of fifty dollars each, which shall be deemed personal prop-

Shares transfer-
able.

erty, and may be issued, certified, transferred and registered in such manner and at such places as may be ordered and provided by the board of directors, who shall have power to require the payment of stock subscribed in the manner and at the times and in such sums as they may direct; and on the refusal or neglect on the part of the stockholders or any of them to make payment on the requisition of the board of

Delinquents.

directors, the share of such delinquent may, after thirty days' public notice, be sold at public auction, under such rules as the directors may adopt—the surplus money, if any remains, after deducting the payments due with the interest and necessary costs of sale, to be paid to the delinquent stockholder. The board of directors hereinafter named and approved shall cause books to be opened for subscription to the capital stock of said company at such times and places and in such manner as they shall direct: *Provided*, that as soon as one hundred thousand dollars of *bona fide* subscription shall be made to said capital stock and ten per cent. thereon paid it shall be lawful for said company to commence the construction of said road.

Authorized
commencement

Powers—how
vested.

§ 7. All the corporate powers of said company shall be vested in and exercised by a board of directors, to consist of not less than seven nor more than thirteen in number, and such other officers, agents and servants as they shall appoint.

First board of
directors.

The first board of directors shall consist of D. B. Clark, Arnold Thornton, O. L. Abbott, J. M. Kistler, Isaac Vale, Wm. Strawn and H. G. Koen, who shall hold their office until their successors are elected and qualified. Vacancies in the board may be filled or appointments to increase the number be made by a vote of two-thirds of the directors remaining—such appointees to continue in office until the next regular annual election of directors; and which said annual election shall be held on the third Monday in February, in each year, at such place as the directors may direct, thirty days' notice, by printed notice, being given, or in two newspapers printed near the line of said road.

Election of di-
rectors.

§ 8. At any election held for directors, each share of stock shall be entitled to one vote, to be given either in per-

son or by proxy; and the person receiving the largest number of votes to be declared duly elected, and to hold their office until the next annual election and until their successors are elected and qualified. All elections for directors to be conducted by three judges selected by the stockholders present.

§ 9. The directors herein named are required to organize, by electing one of their number president and by appointing a secretary and treasurer; and a majority of the board present at any meeting shall constitute a quorum for transacting business. President.
Quorum.

§ 10. In case of the death, resignation or removal of the president or vice president at any time between the annual elections, such vacancy may be filled for the remainder of the year, whenever they may happen, by the board of directors; and in case of absence of the president and vice president the board of directors shall have power to appoint a president *pro tem.*, who shall have and exercise such powers and functions as the by-laws of the said corporation may provide. In case it should at anytime happen that an election 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 dissolved, but such election shall be held at any other time directed by the by-laws of said corporation. Vacancy.
How filled.

§ 11. The said company shall have power to purchase with the funds of the company, and contract for and place on the railroad hereby authorized to be constructed, all machines, wagons, carriages and vehicles, of any description, which they may deem necessary and proper for the purpose of transportation on said road; and they shall have power to charge for tolls and transportation and rates of fare such sums as shall be lawfully established by the by-laws of said company. Machinery.

§ 12. Said company shall have power to make, ordain and establish all such by-laws, rules and regulations as may be deemed expedient and necessary to fulfill the purpose and carry into effect the provisions of this act, and for the well ordering and securing the affairs, business and interests of said company: *Provided*, that the same be not repugnant to the constitution and laws of the United States or of this state. By-laws

§ 13. The said board of directors shall have power to regulate the manner of transportation of persons and property, the width of track, the construction of wheels, the form and size of the cars, the weight of loads, and all other matters and things respecting the use of said road and the conveyance and transportation of persons and property thereon. Transportation.

§ 14. Said company shall have the power to extend to and unite its railroad with any other railroad now construct- Connections
with other
roads.

ed or which may hereafter be constructed in this state, and for that purpose full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of such connection; and whenever it shall be necessary for the construction of said railroad to intersect or cross a track of any other railroad or any stream of water or water-course, or road or highway lying on the route of said road, it shall be lawful for said company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water, water-course, road or highway thus intersected or crossed to its former state or in a sufficient manner not materially to impair its usefulness.

Dividends.

§ 15. The said company shall annually or semi-annually, make such dividends as they may deem proper of the net profits, receipts or income of said company among the stockholders therein in proper proportion to their respective shares.

Injury to road.

§ 16. If any person shall do or cause to be done or aid in doing or causing to be done any act or acts whatsoever, whereby any building or structure or works of said company, or any engine, machine or structure, or any matter or thing appertaining to the same shall be stopped, obstructed, impaired or weakened, injured or destroyed, the person or persons so offending shall be guilty of a misdemeanor and may be punished, upon conviction, by fine, in any sum not exceeding one thousand dollars, or by imprisonment not exceeding five years, or both, at the discretion of the court, and shall forfeit and pay to the said corporation treble the amount of damages sustained by reason of said offence or injury—to be recovered in the name of the said company, with costs of suit, in an action of trespass, before any justice of the peace of this state or before any court having jurisdiction thereof.

How punished.

May borrow money.

§ 17. Said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for completing and finishing or operating their said railroad, and to issue and dispose of their bonds in denominations of not less than five hundred dollars, at such rate of interest, not exceeding eight per cent. per annum, and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purposes aforesaid; and the directors of said company may confer on any bondholder of any bond issued for money borrowed, as aforesaid, the right to convert the principal due or owing thereon into stock of said company, at any time, not exceeding ten years from the date of the bond, under such regulations as the directors of said company may see fit to adopt.

Bonds.

Regulations.

§ 18. The said company, hereby chartered, shall be required to construct and operate their said road throughout the entire line thereof, according to the terms of this charter, within five years after the work shall be commenced thereon, and upon failure so to do shall forfeit all rights and privileges for all the distance not completed at such time: *Provided*, the work shall be commenced on said road within five years after the passage of this act: *Provided*, that this act shall be subject to any general law affecting railroads already chartered.

Compliance
with charter.

Proviso.

Proviso.

APPROVED March 8, 1867.

AN ACT to authorize subscription to the stock of the Carthage and Burlington Railroad Company..

In force March
5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the county of Hancock be and is hereby authorized to subscribe to the stock of the Carthage and Burlington Railroad Company the sum of fifty two thousand dollars, in lieu of subscribing the same to the Warsaw and Rockford Railroad Company, under and pursuant to a vote taken in said county for subscription to said last named road heretofore—said sum being the unsubscribed balance authorized by said vote. And said subscription, when made, shall bind said county the same as if made to said last named road. And said county may issue their bonds in payment of said subscription in the same manner as now authorized to issue bonds to the Warsaw and Rockford Railroad Company: *Provided*, this act shall not be construed to compel the county of Hancock to make such subscription, but to authorize the board of supervisors to make such subscription or not in their discretion: *And, provided*, no bonds shall be issued by said county until said Carthage and Burlington Railroad shall be graded, tied and bridged in said county of Hancock, so far as the same shall be located therein, by private subscription, and said company free from debt therefor.

Amount of.

How paid.

Issue of bonds.

Proviso.

§ 2. This act shall be a public act, and take effect and be in force from and after its passage.

APPROVED March 5, 1867.

In force March 5, 1867. AN ACT to repeal an act entitled "An act to authorize the inhabitants of the township of Sycamore, in DeKalb county, to subscribe additional stock to the Sycamore and Cortland Railroad Company.

Act approved
Feb'y 15, 1865,
repealed.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to authorize the inhabitants of the township of Sycamore, in DeKalb county, to subscribe to additional stock of the Sycamore and Cortland Railroad Company," approved February 15th, 1865, be and the same is hereby repealed.

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

APPROVED March 5, 1867.

In force March 4, 1867. AN ACT to incorporate the Gilman, Clinton and Springfield Railroad Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George E. King, A. S. Palmer, Thomas Snell, J. C. Moore, Alex. Fisher, John D. Gillett, H. C. St. Clair, John Williams, Jas. Matheny, and their associates, successors and assigns, are hereby created a body politic and corporate, by the name and style of "The Gilman, Clinton and Springfield Railroad Company," with perpetual succession; and, by that name, 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 of law and equity in this state or any other place; to make and use a common seal, to renew or alter the same at pleasure; and shall be and are hereby vested with all 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 said company are hereby authorized and empowered to locate and construct a railroad, with a single or double track, from the town of Gilman, in Iroquois county, in the state of Illinois, upon the most eligible route, to the town of Clinton, in the county of DeWitt, state of Illinois; thence to the city of Springfield, in the county of Sangamon, and state aforesaid, passing within one half mile of the public square of the town of Mt. Pulaski, in Logan county, state of Illinois; and for this purpose the said company are authorized to locate and lay out their said road, not exceeding one hundred feet in width, through the whole length of said route; and for the purpose of cuttings, embankments, stone and

Corporate name
and powers.

Business
powers, etc.

gravel, may take and appropriate as much more land as may be necessary for the construction and security of said road.

§ 2. The capital stock of said company shall consist of two millions of dollars, which may be increased to any amount which may be necessary for constructing and equipping said road, not exceeding five million of dollars, to be divided into shares of one hundred dollars each. All the corporate power of said company shall be vested in and exercised by a board of directors, who shall be chosen by the stockholders of said company, whose number shall be determined by said stockholders in the manner hereinafter provided, who shall hold their offices for one year or until their successors shall be elected and qualified; and said directors, a majority of whom shall constitute a quorum for the transaction of business, shall elect one of their number to be president and one to be vice president of the company; and said board of directors shall have power to appoint a secretary, treasurer and all necessary clerks and other officers necessary for the transaction of the business of said company.

Capital stock.

Directors.

Quorum.

Officers.

§ 3. The said corporation are hereby authorized, by their agents, surveyors and engineers, to cause such examinations to be made of the ground and country as shall be necessary to determine the most desirable route whereon to construct their said railroad; and it shall be lawful for said company to enter upon and take possession of and use all such land and real estate as will or may be necessary for the construction and maintenance of the said railroad, its depots, side tracks, water stations, engine houses, machine shops and other buildings and appendages necessary to the construction of said railroad: *Provided*, that all lands or real estate entered upon and taken possession of by said corporation shall be paid for by said company in damages, if any be sustained by the owner or owners thereof by the use of the same for the purposes of said railroad; and all lands entered upon and taken for the use of said corporation, which are not donated to said company, shall be paid for by said corporation at such prices as may be mutually agreed upon by the said company and the owner or owners thereof; and in case of disagreement the price shall be estimated, fixed and recovered in the manner provided for taking lands for the construction of public roads, canals and other public works, as prescribed by the act concerning the right of way, approved March 3, 1845, and the amendments thereto, approved June 22, 1852.

Examinations
and surveys.Possession of
lands.

§ 4. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of whom, are hereby authorized to open or cause to be opened subscription books for the stock of said company, at such time and in as many places as they may think proper, and also to appoint one or more agents to open such books and receive such subscriptions. The said commissioners,

Commissioners

- Advance pay-ments of. or their agents, shall require each subscriber to pay ten dollars on each share subscribed, at the time of subscribing; and whenever one hundred thousand dollars are subscribed, the said commissioners shall call a meeting, in either the town of Springfield, Clinton or Gilman, (as a majority may determine,) of the stockholders, by giving thirty days' notice in some newspaper printed in the city of Springfield, or by personal notice served upon each of the stockholders, of the time and place of holding such meeting; and at such meeting it shall be lawful for the stockholders to elect the directors of said company, of which there shall not be less than seven nor more than thirteen, and transact any other necessary business; and when the directors are chosen, the said commissioners shall deliver said subscription books, with all sums of money received by them, or by any agent appointed by them, as commissioner, to said directors. No person shall be a director, unless he shall be a *bona fide* stockholder in said company.
- Stockholders' meetings. Election of directors. § 5. The annual meeting of the directors shall be fixed by the by-laws of said directors; and at all meetings, all stockholders shall be entitled to one vote for each share held by such stockholder upon which all installments called have been paid.
- Delivery of books, funds, etc. Corporation subscriptions. § 6. - The directors of said company, after the same is organized, are hereby authorized and empowered to receive subscriptions to their said capital stock, on such terms and in such amounts as they may deem for the interest of said company, and as they may prescribe by their by-laws and regulations, from any other railroad company or corporation, and from any county, city, town or organized township making the same.
- Vote of stock holders. Property in fee simple. § 7. The right of way, and the real estate purchased for the right of way or other purposes by said company, whether by mutual agreement or otherwise, or which shall become the property of said company by operation of law, as in this act provided, shall, upon the payment of money belonging to the owner or owners of said lands, as a compensation for the same, become the property of the said company in fee simple.
- Vacancies. § 8. In case of death, resignation or removal of the president, vice-president or any director, at any time before the annual election, such vacancy shall be filled for the remainder of the year by the board of 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 said corporation may provide.
- Directors—pro tem. Crossings. § 9. Whenever it shall be necessary, for the construction of said railroad, to intersect or cross a track of any other railroad, or stream of water, or water-course, or road or highway, on the route of said railroad, it shall be lawful

for the company to construct their railroad upon or across the same: *Provided*, that the said company shall restore the same thus intersected or crossed to its former state, or in sufficient manner to restore its usefulness. Proviso.

§ 10. Said company shall have power to unite, connect or make running arrangements with any other railroad now or hereafter constructed, crossing the railroad of said company, or built at either end thereof, and for that purpose full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of such connection. Connections.

§ 11. That the said railroad company by this act incorporated shall have power to borrow money on the credit of the company, not exceeding its authorized capital stock, at a rate of interest not exceeding ten per cent. per annum, payable semi-annually; and may execute bonds therefor, with interest coupons thereto annexed, and secure the payment of the same by mortgage or deed of trust on the whole, or any part thereof, of the said road property and income of the company, then existing or thereafter to be acquired; and may annex to said mortgage bonds the privilege of converting the same into the capital stock of said company, at par, at the option of the holders, if such election be signified in writing to the company, three years before the maturity of said bonds. Indebtedness.

§ 12. That the directors of said company be and they are hereby authorized to negotiate and sell the bonds of the said company, at such times and places, either within or without this state, and at such rates, and for such prices, as, in their opinion, will best advance the interest of the company; and if such bonds are thus negotiated or sold at a discount below their par value, such sale shall be as valid and binding on the company, in every respect, as if they were sold or disposed of at their par value. Company bonds

§ 13. That the said company, in securing the payment of said bonds by a mortgage or deed of trust aforesaid, to secure the payment of the full amount of the bonds which the company may, at the time said mortgage or deed of trust bears date, or at any time thereafter, desire to sell or dispose of, and may execute and sell, from time to time, such amounts of said bonds, and of such dates, and payable to such persons, as the directors of said company may deem advisable, till the whole amount of bonds mentioned in such mortgage or deed of trust is executed and sold; and the said mortgage or deed of trust shall be as valid and effectual to secure the payment of the bonds so executed and sold, and every part thereof, as if the same, and every part thereof, had been executed with even date with the said mortgage or deed of trust. Payment of.

§ 14. This act shall be deemed a public act, and is hereby so declared, and shall be favorably construed for all purposes herein expressed and declared, in all the courts or places whatsoever, and shall be in force from and after its passage.

APPROVED March 4, 1867.

In force March 5, 1867. AN ACT to incorporate the Chicago and Indiana Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Corporators. John Tyrrell, Philip Wadsworth, Edwin R. Harmon, James Wadsworth, Charles M. Henderson, James McKindley and Henry G. Miller, and all such other persons as shall hereafter become stockholders in the company hereby incorporated, shall be a body politic and corporate, by the name and Name and style. style of "The Chicago and Indiana Railroad Company," with perpetual succession; and by that name and style, Powers. shall be capable in law of taking, purchasing, holding, leasing, selling and conveying estate and property, whether real, personal or mixed, so far as the same may be necessary for the purposes hereinafter mentioned; and, in their corporate name, may sue and be sued; have a common seal; and may have and exercise all the powers, rights, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act, as the same are hereinafter set forth.

Business powers. § 2. The said railroad company shall have full power and authority to locate, construct, furnish and maintain a railroad from the city of Chicago, in a south-easterly direction, to the line between the states of Illinois and Indiana, striking said line at some point not more than fifty miles from Lake Michigan; and with the right to enter said city of Chicago by such route as may be granted to them by the common council of said city; and, for the purpose of constructing said railroad, said company shall have authority and power to lay out, designate and establish their road in width not exceeding one hundred feet, through the entire line thereof; and may take and appropriate to their own use all such lands so designated for the line and construction of said railroad, upon first paying and tendering therefor such amount of damages as shall have been settled by agreement or appraisal, in manner hereinafter provided, on all such land so designated for the line and construction of said railroad, and all such lands as may be taken or upon any track which may be located by said company; and for the purpose of embankments, cuttings, obtaining stone,

gravel and sand, may take and appropriate as much more land as may be necessary for the proper construction, maintenance and security of said road and depots and other suitable fixtures for said road.

§ 3. The said company and, under their direction, their agents, servants and workmen, are hereby authorized and empowered to enter into and upon the lands or grounds of or belonging to the state, to any person or persons, body politic and corporate, excepting however all such lands and premises as are or may be owned or occupied by any railroad company incorporated by this or any other state, and survey and take the same or any part thereof, as they may think necessary and proper, for the making of said railroad and for all the purposes connected therewith.

Possession of
lands, etc.

§ 4. The said company shall have power and authority to receive, take and hold all such voluntary grants and donations of lands and all real estate, for the purpose of said railroad, as may be or shall be made to said company, in the construction, maintenance and accommodation of said railroad; and said company may contract and agree with the owners or occupants of any lands upon which said company wish to use or occupy for the purpose, stone, gravel or other materials to be used in embankments or otherwise in or about the construction, repair or enjoyment of said railroad, or which said company may wish to use or occupy in any manner or for any purpose connected with said railroad, for which said company is empowered and authorized by this act to take, have or appropriate; and to receive and take grants and conveyances of any and all interests and estates therein, and to them and their successors or assigns, in fee, or otherwise; and in case said company can not agree with such persons, owners or occupiers of such lands, as aforesaid, so as to procure the same by voluntary deed or act of such owners or occupiers of such lands, as aforesaid, or if the owners or occupiers or any of them be a *femme covert*, infant, *non compos mentis*, unknown or out of the county in which the lands or property may lie or be situated, the same may be taken and paid for, if any damages are awarded, in the manner provided for in the "Act to provide for a general system of railroad incorporations," approved November 5th A. D. 1849, and the several acts amendatory thereto.

Grants, etc.

§ 5. The said company shall have the right and privilege to survey and construct the said line of road in sections of thirty miles in length, or as said company by their directors may decide upon, from the northern terminus thereof, and finish the same and use and enjoy the benefit thereof as soon as the same shall be so finished.

Survey and construction.

§ 6. The capital stock of said company shall be thirty thousand dollars for every mile of road undertaken; which

Capital stock.

said capital stock may be increased when necessary, to any amount not exceeding the actual estimated cost of constructing and equipping this said railroad. And subscription to the increased capital stock may be made, from time to time, as may be ordered and directed by the board of directors of said railroad company; which stock may be divided into shares of one hundred dollars each, which shall be deemed personal property; and the board of directors shall have power to require the payment of stock subscribed in the manner and at the time and in such sums as they may direct; and on the refusal or neglect on the part of stockholders or any of them to make payment, on the requisition of the board of directors, the said board may collect the same by legal proceedings, or the share or shares of such delinquent may, after thirty days' public notice, be sold at public auction, under such rules as the directors may adopt, the surplus money if any remains after deducting the payments due, with the interest and necessary costs of sale, to be paid to the delinquent stockholder. The persons in the first section of this act be and are hereby appointed commissioners, a majority of whom may open books of subscription to the stock of said company; and when the sum of ten thousand dollars for every mile of road in the contemplated section or sections, of stock shall be subscribed and ten per cent. thereon duly paid, the said commissioners shall notify the stockholders, in the manner hereinafter provided, to elect a board of nine directors, to manage the affairs of said company; and it shall be lawful for said company to commence the construction of said road.

Payment of
stock.

Stock subscrip-
tion.

Directors.

Vacancies.

Vote of stock-
holders.

§ 7. All the corporate powers of said company shall be vested in and exercised by a board of directors, to consist of nine stockholders, and such other officers and servants as in their judgment the said board of directors may from time to time think the interests of the said company may require. Vacancies in the board of directors may be filled by a vote of two-thirds of the directors remaining; such appointees to continue in office until the next annual election of directors, and which said annual election shall be held at such time and place as may be designated and fixed by the by-laws of said company, thirty days' printed notice being given in two newspapers having circulation along the line of said railroad.

§ 8. At any election held for directors each share of stock upon which all calls or assessments due twenty days prior to said election have been paid shall be entitled to one vote, to be given either in person or by proxy; and the persons receiving the largest number of votes to be declared duly elected, and to hold their offices until the next annual election and until their successors are elected and qualified. All elections for directors to be conducted by three judges selected by the stockholders present.

§ 9. The directors are required to organize the board by electing one of their number president and elect a secretary and treasurer. Organization.

§ 10. The said company shall have power to purchase and contract for and place on the railroad hereby authorized to be constructed all machines, carriages and vehicles, of every description, which may be necessary and proper for the purpose of transportation on said road; and shall have the right to charge fares for the transportation of passengers, at the rate of three cents per mile for single fares, for local traffic, and two and one-half cents per mile for passengers carried the whole length of their road. They shall have the right to charge one and one-half cents per ton per mile for the transportation of coal and wood or other fuel, and not more than the above rates on the articles mentioned, and such rates of freight as they may deem proper on freight not restricted as above and not inconsistent with the laws of this state now in force or hereafter to be enacted. Business and operations.

§ 11. Said company shall have power to make, ordain and establish all such by-laws, rules and regulations as may be deemed expedient and necessary to fulfill the purposes and carry into effect the provisions of this act and for the well ordering and securing the affairs, business and interests of said company: *Provided*, that the same be not repugnant to the constitution and laws of the United states or of this state. By-laws, etc.

§ 12. Whenever it shall be necessary for the construction of said railroad to cross the track of any other road, railroad or stream of water or water course, being on the route of said railroad, it shall be lawful for the company to construct their railroad across the same; that for the purpose of constructing their railroad across any river, stream or body of water, the privilege of bridging said stream is hereby granted to said company: *Provided*, that the said company shall restore the road, railroad, stream of water or water course to its former state or in a sufficient manner not materially to impair its usefulness: *And provided, further*, that the bridge so erected across said streams of water, if any, shall be so provided with draws as not to become serious impediments to navigation—said draws to be kept in good repair and in condition to be easily opened. Crossings.

§ 13. The said company shall annually or semi-annually make such dividends as they may deem proper of the net profits or income of said company among the stockholders therein, in proper proportion to their respective shares. Dividends.

§ 14. If any person shall do or cause to be done, or aid in doing or causing to be done, any acts whatsoever, whereby any building or structure or work of said company, or any engine, machine or structure, or any matter or thing appertaining to the same shall be stopped, obstructed, impaired Damages to property, etc.

or weakened, injured or destroyed, the person or persons so offending shall be deemed guilty of a misdemeanor, and may be punished, upon conviction, by fine, in any sum not exceeding one thousand dollars, or by imprisonment not exceeding five years, or both, at the discretion of the court, and shall forfeit and pay to said corporation treble the amount of damages sustained by reason of said offence or injury; to be recovered in the name of the company, with costs of suit, in an action of trespass, before any justice of the peace in this state or before any court having jurisdiction thereof.

Connections.

§ 15. Said company shall have power to connect or consolidate its railroad with any other railroad in the states of Indiana or Michigan, upon such terms as may be mutually agreed upon between the companies so uniting, connecting or consolidating, and, for that purpose, full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of said connection or consolidation; but said company is hereby expressly forbidden to consolidate or unite its road or any part of the same with any other railroad in this state.

Other roads.

§ 16. Said company may lease or purchase any other road in any other state, for the purpose of reaching any points out of this state.

Indebtedness.

§ 17. The said company is hereby, authorized, from time to time, to borrow such sum or sums of money as may be necessary for completing, equipping and furnishing their said railroad and to issue and dispose of their bonds, in denominations of not less than five hundred dollars, at such rate of interest not exceeding eight per cent. per annum, and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purpose aforesaid; and the directors of said company may [confer] on any bondholder of any bond issued for money borrowed, as aforesaid, the right to convert the principal due or owing thereon into stock of said company, at any time not exceeding ten years from the date of the bond, under such regulations as the directors of said company may see fit to adopt; and any such bond that may be sold or disposed of at a less rate than par shall be as valid and binding upon said company as if the same was sold for the par value thereof.

Commencement
and comple-
tion of sections

§ 18. The said company shall commence the construction of one section of its line of road within two years and complete the same within five years from the date of the passage of this act.

Change of name

§ 19. The directors of said company shall have power, within two years after its organization, or at any time thereafter, to change the corporate name of said company, by adopting a resolution, specifying such name of said com-

pany, and causing the same to be recorded in their own journal and in the several counties through which the said line of road may run, and causing the same to be published in two newspapers at Springfield and in one newspaper in each county through which the line of said road is located, where there is a newspaper published in such county or counties.

§ 20. It shall be the duty of the corporation hereby created, in operating its road, to give preference to fuel, such as wood, coal or peat, or any other fuel, over any and all other freight, and to transport the same at the lowest price consistent with paying running expenses, renewal of road bed and track, wear and tear of machinery and rolling stock, and a small dividend on the cost of the road, and to charge no more for freight on same at any rate than one cent and one-[half] per ton per mile, when offered in full car loads and loaded and unloaded by the owner thereof, and to give preference to freight offered to said road by individuals as against any freight offered by any other railroad corporation in this state.

Fuel, transportation of.

Rates of freight

§ 21. It shall be the duty of said railroad company to run accommodation trains, to accommodate persons who wish to ride over the said road daily or such as wish to reside in country towns and do business in the city of Chicago, and to run at least three trains each way per day, and to carry passengers at the lowest rate of fare which is charged by any railroad in the United States which propels its cars by locomotives.

Connection and daily trains.

§ 22. This act shall be deemed and taken to be a public act and noticed by all courts, without pleading, and shall take effect from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Quincy and Peoria Railroad Company.

In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John H. Schermerhorn, Maitland Boon, Charles H. Curtis, Almeron Wheat and John H. Williams, of Quincy; Alexander E. Wheat and Louis Green, S. H. Thompson, R. G. Ingersoll, H. G. Anderson and P. R. K. Brotherson, of Peoria, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Quincy and Peoria Railroad Company;" and, by that name, be and they are hereby made capable in law and in equity to sue and be sued, defend and be defended, in any court of law and equity in this state or else-*

Corporators.

Corporate name and powers.

- where; to make, have and use a common seal, and the same to renew and alter at pleasure; and shall be and hereby are vested with all powers, privileges and immunities which are or may be necessary to construct, complete and operate a railroad, with double or single track, from the city of Quincy, through the counties of Adams, Brown, Schnyler, McDonough, Fulton and Peoria, to the city of Peoria, in the state of Illinois, or through any of the said counties, on such route as they may see proper; and, for that purpose, to enter upon and take possession of so much land as may be necessary to construct, complete and operate said railroad and its appendages; and if said company can not agree with the owner or owners of said lands, taken as aforesaid, it may be lawful for them to proceed in the manner now provided by the laws of this state for the condemnation of lands by incorporated companies; and may also exercise, for said purpose, all such powers as have been heretofore conferred on any other railroad company incorporated by the laws of this state.
- Route of road.
- Possession of lands, etc.
- Capital stock. § 2. The capital stock of said company shall be three hundred thousand dollars, which may be increased by said company to any sum not exceeding three millions of dollars, which may be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued and transferred in such manner as the board of directors may prescribe.
- Directors. § 3. The affairs of said company shall be managed by a board of nine directors, which may be increased to any number, not exceeding thirteen; and the persons named in section one of this act are hereby appointed the first board, who shall hold their offices until their successors are elected and qualified, in such manner as may be prescribed by the by-laws of said company. Said board shall have the power of electing one of their number president and such other officers as may be prescribed by the by-laws; and said corporation shall be and is hereby vested with all the powers conferred upon railroad incorporations by the general railroad laws of the state of Illinois or any amendment now made or hereafter to be made thereto.
- Term of office. § 4. Said corporation shall have power to unite its railroad with any other railroad now constructed or which shall hereafter be constructed, upon such terms as may be mutually agreed upon between the companies so connecting; and, from time to time, to borrow such sums of money as may be necessary for the purposes of said company, and at any rate of interest not exceeding ten per cent. per annum, and to issue and dispose of their bonds, in denominations of not less than one hundred dollars, for any amount so borrowed, and to mortgage their corporate property, real or personal, and their franchise, or convey the same by deed

of trust, to secure the payment of any money so borrowed or any other debts of said company.

§ 5. This act shall be a public act, and shall take effect and be in force from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Chicago, Blue Island and Indiana Railroad Company. In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Cyrus B. Sammons, Henry H. Massey, Heber S. Rexford, Michael Brand, Henry H. Shufeldt, Joshua P. Young, Valentine Bush, A. N. Hart, Samuel D. Huntington, Royal Fox, Benjamin Kayler, George F. Bailey, Gurdon S. Hubbard, Frederick Sanerteig, Daniel O. Robinson, Henry Fuller and Joseph Hoff, and their associates, successors and assigns, be and are hereby created a body politic and corporate, under the name and style of "The Chicago, Blue Island and Indiana Railroad Company;" and, as such, have perpetual succession; and by that name have power to contract and be contracted with; and be capable in law and equity to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended against in any court within this state or any other place; to have a common seal, and the same to alter and renew at pleasure; and are hereby vested with all the powers, privileges and immunities necessary to effectuate the objects and purposes of this act, as hereinafter set forth; and to adopt such by-laws, rules and regulations as may be expedient and necessary for the transaction of the business of said company, and the management of its affairs.

Corporators.

Corporate name and powers.

§ 2. The said company shall have the right and power to locate, re-locate, build, construct, maintain, equip and operate a railroad from some point within, at or near the city of Chicago, in this state, to Blue Island, in the county of Cook, in this state, and thence to extend the same, by the most eligible and practicable route or line, to the Indiana state line, at some point within said county of Cook, on the east line of said county, in township thirty-five (35), together with all needful appendages, sidetracks, turnouts, switches, bridges, depots, depot grounds, stations, wells, water tanks, buildings, machine shops, erections and structures, as may be requisite and useful for the proper construction, operation and maintenance of said railroad. Said company are hereby authorized and empowered to manufacture their own cars, locomotives, machinery and rolling stock, and to

Business powers and privileges.

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| Possession lands, etc. | lay out, take, hold, own, use, possess and enjoy, for the purposes of said railroad, all necessary lands and waters, for a right of way, not exceeding in width one hundred feet, and for turnouts, depots and depot grounds, side-tracks, switches, water tanks, and other buildings and structures, such additional lands as may be necessary therefor, under the provisions of an act to amend the law condemning the right of way, etc., for purposes of internal improvement, approved June 22, A. D. 1852, and the acts amendatory thereof, and to which said act is amendatory, or under the provisions of any other existing law concerning the |
| Proviso. | power of condemnation for such purposes: <i>Provided</i> , that said company shall, before proceeding to condemn the right of way, as herein provided, use reasonable diligence to secure said lands by purchase and agreement with the owners thereof, but in case of a failure to agree therefor, or if the owner or occupier of said lands be a <i>femme covert</i> , infant, <i>non compos mentis</i> , unknown to said company, or out of the county in which said lands may be situated, then said company may proceed to take, use and condemn said lands, as hereinbefore provided; and the lands so acquired or taken shall thereupon become the property, in fee simple, of said company. |
| Capital stock. | § 3. The capital stock of said company shall be one million dollars, which may be increased to any sum necessary for the construction of said railroad and appendages, and the full effectuation of the objects of this act, by the board of directors of said company. Said capital stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and may be subscribed for, issued, transferred and assigned in such manner as the board of directors may prescribe and determine. |
| Indebtedness. | § 4. Said company may borrow money and issue bonds for such amount as may be necessary, and secure the same by mortgage or deed of trust upon any and all of its property or franchises, to be payable at such times and to bear such rates of interest as the board of directors may determine; and in case any of such bonds shall be sold or negotiated for less than their par or representative value, they shall be equally as valid and obligatory upon said company as if sold or negotiated at their par or representative value. |
| First board of directors. | § 5. The persons named as corporators in the first section of this act shall constitute the first board of directors of said company, and shall have full power to open books for subscription to the capital stock of said company, and to superintend the same; may establish, ordain and adopt such by-laws, rules and regulations as may be necessary; may elect and appoint all necessary officers, agents, attorneys or servants, and prescribe the duties of each; may provide the manner in which the capital stock of said company shall be subscribed and paid for, issued and trans- |

ferred; may provide for the election of their successors: *Provided, however*, that there shall be an annual election of not less than eleven directors, after said company shall have proceeded to business under this charter; at which election each stockholder shall be entitled to one vote for each and every share of stock held by him and standing in his name at such time on the books of said company; and may do all things which said company is hereby authorized to do; and in them and their successors all the powers, privileges, immunities, rights, franchises, and corporate powers of said company are hereby absolutely vested, with full power of control. A majority of the board of directors of said company shall constitute a quorum and be sufficient to transact all business and do all things. Vacancies in said board of directors, whether by death, resignation, failure to act, or otherwise, may be filled by a majority of the remaining directors. The certificate of the secretary of said company or the presiding officer of said board of directors, under the seal of said company, shall be received in all courts and places as competent and *prima facie* evidence of the by-laws, rules and regulations of said company or of any resolution, order, act or proceeding of said board of directors, and of the due organization of said company.

Proviso.

Vote of stockholders.

Quorum.

Vacancies.

Evidence of by-laws.

§ 6. Whenever it shall become necessary for the construction and operation of said railroad to intersect or cross a track of any other railroad, or any road, highway, lane, street, alley, canal, stream of water or water course, it shall be lawful for said company to construct and operate their railroad across the same: *Provided*, that said company shall restore the same, respectively, thus intersected or crossed, to their or its former state and condition, or in a manner sufficient so as not to materially impair its or their use.

Crossings, etc.

§ 7. It shall be lawful for said company, whenever necessary, to acquire real or personal property, either by gift, grant, lease, purchase or assignment, mortgage or otherwise, for the use of said company; and whenever, in the construction of said railroad, embankments or cuttings, or crossings shall occur, and it shall be necessary and desirable to take and hold more than one hundred feet in width for the proper construction and security of said railroad, said company is hereby empowered so to do in the same manner as hereinafter provided for taking right of way, and are likewise, in the same manner, empowered hereby to take, hold, use and appropriate such adjacent earth, stone or gravel, as may be needed in the construction of said railroad; and whenever, in the course of the business of said company, any of the real or personal property or franchises of said company shall become undesirable or unnecessary to be retained, the said company may grant, bargain, sell,

Grants, donations, etc.

Possession of property, etc.

lease or convey the same; and the by-laws of said company shall provide for the manner of executing and attesting any such grant, sale, lease or conveyance.

Forfeitures of stock.

§ 8. The by-laws of said company shall provide for the forfeiture of all stock on which there may be unpaid assessments due; and the said company shall have the right of action, either in law or equity, against any of its stockholders for any unpaid amount on the stock held by him or them, and for any and all lawful claims, the same as if he were not a stockholder. In actions brought by or against said company the president or secretary or other executive officer shall be a competent witness in any court, notwithstanding his interest as a stockholder.

Business transactions and operations.

§ 9. The said company may receive, take and transport upon said railroad any person or persons, merchandise or other property, the United States' mails, and all materials needed in the construction of said road, upon and over all or any part of the distance of said road, 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 or tariff or fares therefor as the said board of directors shall from time to time determine, adopt and establish, subject, however, to such regulations and restrictions as have been or may hereafter be established by the laws of this state of a general application.

Connections.

§ 10. Said company shall have the right to form an intersection or connection, at the state line, within the limits hereinbefore prescribed, with any other railroad, for the purpose of securing an eastern or southern connection: *Provided, however*, and it is hereby expressly forbidden to said company to consolidate said railroad with any existing railroad of a competing direction, or for the purpose of hindering or preventing competition; and such intersecting railroad may run its [trains] and carry its passengers and freight over the line of said company at such rates as may be agreed upon between such intersecting or connecting lines or companies.

§ 11. This act shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force March 5, 1867.

AN ACT to incorporate the Indiana and Chicago Railroad Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That H. A. Gray, B. J. Stevens, E. S. Howley, Benjamin F. Smith, Charles H. Ham and William E. Mortimer, their asso-

ciates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of "The Indiana and Chicago Railroad Company;" and, by that name, shall have perpetual succession, with power to contract and be contracted with, sue and be sued, plead and be impleaded in all courts and places; to adopt a common seal, and alter the same at pleasure; to adopt such by-laws, rules and regulations as they may deem expedient; and to have and exercise all other rights and powers necessary to carry out the provisions and intentions of this act.

Corporate name
and powers.

§ 2. Said company, when organized, shall have the right to locate, build, construct, maintain, equip, operate and continue to operate a railroad, from some point within or near the state line of Indiana, in said county of Cook, to the city of Chicago, with such side tracks and branches as may be necessary.

Business
powers.

§ 3. Said company in laying out, locating, building, constructing and operating said railroad may cross any railroad or railroad line now laid out, or hereafter to be laid out in this state, and may construct said railroad across any stream of water, water course, road, highway, street, alley or canal, in such manner as not materially to obstruct the same; and may unite, intersect or connect, at any point in Cook county, Illinois, at the state line of the state of Indiana, with any other railroad running in an eastern or south-eastern direction, for the purpose of securing an eastern or southeastern connection, on such terms as may be agreed upon between the parties.

Operations.

§ 4. Said company shall have the right to purchase, hold, lease and convey real estate and personal property, so far as the same shall be necessary to carry out the intentions of this act, and may sell and dispose of the same, when not required for the purposes of their business.

Possession of
property, real
and personal.

§ 5. Said company shall have the right to lay out and establish their railroad, not exceeding one hundred feet in width, through the entire line thereof; and may take and appropriate to their own use all such lands necessary for the line and construction of said railroad, by first paying therefor such amount of damages as shall be agreed upon between said company and the owner or owners of said lands; and, in case of disagreement, then paying or tendering therefor such damages as shall have been settled by appraisal, in the manner hereinafter provided; and, for the purpose of cutting and making embankments, obtaining stone, sand, gravel or other material, said company may take and appropriate so much more land as may be necessary for the proper construction, maintenance and security of said railroad, and for the purpose of constructing shops, depots, side-tracks, and other suitable and convenient fixtures and appurtenances of said railroad; may take, have, use and occupy any land on either side of said railroad, not

Width of road.

Use of lands.

exceeding two hundred feet in width. Said company taking all such lands by gift or purchase, or making satisfaction for the same in the manner hereinafter provided.

Lands taken.

§ 6. If said company can not agree with the owner or owners of lands required for the purposes aforesaid, so as to procure the same by deed, or voluntary act of such owners, or if the owners or occupier or either of them be a *femme covert*, infant, *non compos mentis*, unknown or out of the county in which the land wanted is situated, then the same may be taken and paid for (if any damages are awarded) in the manner provided for in an act to provide for a general system of railroad incorporations, approved November 5th, A. D. 1849, and an act to amend the law condemning right of way for purposes of internal improvements, approved June 22, 1852, and of all acts amendatory thereof, and of which that act is amendatory.

Capital stock.

§ 7. The capital stock of said company shall be one million dollars, to be divided into shares of one hundred dollars each, to be deemed personal property, and transferable, as such, on the books of the company, in the manner and subject to the conditions provided in the by laws. The capital stock may be increased, by a vote of the stockholders, from time to time, to any amount that may be deemed necessary, not exceeding in the aggregate the whole cost of said railroad and its appurtenances; which said capital stock shall be paid in such manner at the time and in such installments as required by the directors. Each share of stock shall entitle the holder thereof to one vote in the election of directors, and to increase the capital stock; and any person entitled to vote may vote by written proxy.

Directors.

§ 8. There shall be elected, annually, at such time and place as the by-laws shall provide, a board of five directors, who shall have the general management of the officers and affairs of said company; they shall have power to make by-laws, rules and regulations for the government of the officers and affairs of the company; and they shall elect from their number a president, secretary and treasurer, who shall hold their offices during the term for which they were elected and until their successors are duly elected and qualified; and the directors may appoint other officers and agents and prescribe the powers and duties of the several officers, agents and employees of said company; and a failure to elect directors at the time provided by the by laws shall not work a forfeiture of this charter or impair the rights of the stockholders.

By-laws, etc.

Officers.

Borrow money.

§ 9. The said company is hereby authorized from time to time to borrow such sum or sums of money as may be necessary for the completing, equipping, maintaining, furnishing and operating or altering said railroad, and to issue and dispose of their bonds at any rate of interest, not exceeding ten per cent. per annum, and at such discount as

may be thought for the benefit of the company, and to mortgage their property and franchises, or any other property or effects, or convey the same by deed of trust, to secure the payment of any of the debts contracted for the purposes aforesaid, or any of them; and the directors of said company may, at any time, confer on the holder of any such bonds the right to convert the amount due or owing thereon into the stock of said company; and any such bonds that may be sold or disposed of at a less rate than par shall be as valid and binding upon said company as if the same were sold for the par value thereof.

§ 10. The right of way and other real estate purchased by or donated to said company shall be held by them in fee simple; and any such right of way or real estate taken, condemned or appropriated shall, upon due fulfillment by said company of the conditions prescribed by law, to be by them performed or observed, to entitle them to such property, shall, also, be held by said company in fee simple.

§ 11. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Havana and Macomb Railroad Company. In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Calvin Brousen, V. M. Grewell, C. B. Robinson and James B. Catron, Joseph Russell, Addison Abernathy, James Connell and William Miner, and their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Havana and Macomb Railroad 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, defend and be defended, in any court of law or equity in this state, or in any other place; and 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 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 is hereby authorized and empowered to locate, survey, construct and complete a railroad, with one or more tracks, and the necessary switches, turn-tables, side-tracks, depots, and other required buildings and structures, commencing on the west bank of the Illinois river, and opposite the town of Havana, in Mason county, via Ipava, in Fulton county, to the town of Macomb, in McDonough county, in said state of Illinois.

Mortgage.

Right of way

Corporators.

Name and style.

Powers.

Location, etc.—
line of road.

Possession of
grounds, etc.

§ 2. For the purpose of acquiring the right of way (one hundred feet in width along the entire length of said road) for the construction of said road, with required side-tracks, turn-outs, switches, and grounds for depots, stations and other buildings, erections and structures, and for the purpose of obtaining gravel, stone or other material for grading, ballasting or repairing the same, and right of way to said material, the said company is hereby authorized and empowered to take, condemn and use the same, under the provisions of "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22nd, 1852. And should said road intersect or cross the track of any other railroad, water-course or highway, it shall be lawful for said company to construct their road across or upon the same: *Provided*, that said company shall restore said railroad track, water course or highway, so intersected or crossed, to its former state, without materially impairing its usefulness.

Crossings, etc.

Capital stock.

§ 3. The capital stock of said company shall be one million dollars, and may be increased, for the purpose of completing and fully equipping said road, to the sum of two millions of dollars, and no more. Said stock shall be divided into shares of one hundred dollars each. The government and direction of said company shall be vested in seven directors, to be chosen, annually, by the stockholders of said company, in the manner to be prescribed by the by laws which said company may hereafter adopt.

Government.

Stock subscrip-
tion.

§ 4. The incorporators named in this bill are hereby authorized to open subscription books for said stock, at such places as they may deem proper, until an amount equal to one thousand dollars per mile of said road is subscribed, when they shall call a meeting of the stockholders at the town of Ipava, having first given thirty days' public notice thereof, for the purpose of electing seven directors, to complete the organization of said company. At said election, each stockholder shall be entitled to one vote for each share of stock held. The directors shall organize, by electing one of their number as president, and adopt such rules and by-laws for the government of said company as they may deem expedient, not conflicting with the laws and constitution of the state of Illinois.

Meeting of
stockholders.

Election of
directors.

President.

Rules—by-laws.

§ 5. This act shall be in force from and after its passage.

APPROVED March 5, 1867.

AN ACT to amend an act entitled "An act to incorporate the Freeport and State Line Railroad Company," approved February 14, 1857. In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to incorporate the Freeport and State Line Railroad Company," approved February 14, A. D. 1857, be and the same is hereby revived; and said company is hereby re-invested with all the powers, privileges and franchises granted in and by said act; and the said [company] be and is hereby allowed six years from and after the passage of this act for the commencement of the said railroad in said act mentioned; and in case the said railroad shall not be completed in twelve years thereafter, the privileges and franchises granted in and by this act, and the act to which this is an amendment, shall be forfeited.

Act approved
Feb'y 14, 1857,
revived.

Re-invested
powers, etc.

§ 2. This act shall be deemed and taken as a public act, and shall be in force from and after its passage.

APPROVED March 5, 1867.

AN ACT to incorporate the Clayton and Whitehall Railroad Company. In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John M. Finck, Bryant T. Scofield, William A. Patterson, John Sympton, Seth J. Morey, Benjamin A. Curry, William Montgomery, L. E. Worcester, Charles A. Gibbs, Reid Wallace, T. G. Black, A. S. McDowell, S. L. Roe, Charles Moffitt, James Kirkpatrick, Robert Campbell, Philip G. Corkins, and their associates, successors, heirs and assigns, are hereby created a body politic and corporate, under the name and style of "The Clayton and Whitehall Railroad Company," and by that name and style shall have perpetual succession; and said company are hereby made capable of suing and being sued, of pleading and being impleaded, in all courts of law and equity in this state and elsewhere; of contracting and being contracted with; and said company shall have authority to make, have, use, alter and change a common seal, and the same to renew at pleasure; and said company are hereby vested with all the powers, privileges and immunities which are or may be necessary to carry into effect the objects and purposes of this act, hereinafter mentioned and set forth or referred to; and to exercise and enjoy, for the purposes of the said company, the rights and privileges of natural persons: *Provided, however,* that if the aforesaid corporators, or their assigns,

Corporators.

Name and style.

Powers.

Rights and pri-
vileges.

shall fail to organize and commence the construction of said road within two years from and after the passage hereof, then, and in that case, any company now organized, or that may hereafter organize, in this state, are hereby empowered to construct said road, commencing at the village of Clayton, or at the village of Camp Point, if considered more feasible; thence on the most direct route to Whitehall, as provided in said bill; and all the powers and privileges herein vested in said corporation shall be vested in said company, anything therein contained to the contrary notwithstanding.

Line of road.

§ 2. Said company are hereby authorized and empowered to locate, construct, establish and finally complete and use a railroad, commencing at any convenient point in the town or village of Clayton, in the county of Adams, and running from thence, on the most eligible, beneficial, expedient and practicable route, to Whitehall, in Greene county, crossing the Illinois river at some point between Naples and the town of Montezuma, in Pike county; and the said company are hereby empowered, in the construction of said railroad, to lay said railroad wide enough for a single or double track, throughout the whole length thereof; and, for the purpose of constructing the same, and for materials, stone, earth and gravel, may take and use as much more land, on the sides of the same, as may be necessary for the proper construction and security of said road.

Capital stock.

§ 3. Said company shall have power to fix the amount of capital stock of said company, not exceeding two millions dollars; to divide, transfer and increase the same, at pleasure; to borrow money, issue bonds and certificates of shares, and pledge or mortgage its property or franchise; to condemn, according to law, lands necessary for the track of said road, and for the turnouts, side-tracks, and sites for depots, engine-houses, and other buildings necessary for the convenience and accommodation of said railroad; to consolidate its capital stock and franchises with any other railroad company, for the construction, use or maintenance of said railroad, and for the construction and maintenance of the bridge hereinafter named.

Borrow money.

Condemn lands

Consolidation of stock and franchises.

Business powers and privileges.

§ 4. And the said company shall have power to construct, build, use and maintain for railroad and other purposes, and as a public highway, a bridge across the Illinois river, at a point between said Naples and Montezuma, aforesaid, in such a manner as shall not unnecessarily interfere with or obstruct the free navigation of said river; and, for such purposes, shall have power to condemn land, according to the provisions of an act entitled "An act to amend the law condemning the right of way for purposes of internal improvements," approved June 22, 1852, or in any other manner provided by law; and make and establish rules and regulations for the use of the same, and to sell or

lease the same or the use thereof or the franchises of said company, in the same to any company or corporation.

§ 5. That the said company be and they are hereby Sale of bonds. authorized to negotiate and sell the bonds of said company, at such times, at such places and at such rates and for such prices, either within or without this state, as in their opinion will best advance the interests of said company; and if such bonds are thus negotiated and sold at a discount below their par value such sale and disposition thereof shall be as valid and binding on the company, in every respect, as if sold at their par value; and to secure the payment of said bonds said company shall have full power to execute mortgages or deeds of trust, which shall be binding upon said company to all intents and purposes.

§ 6. Whenever it shall be necessary for the construction of said road to intersect or cross a track of any other railroad or any stream of water or water course or road or highway, it shall be lawful for said company to construct their said road across or upon the same: *Provided*, that Crossings, etc. the said company shall restore the railroad, stream of water, water course or road or highway thus intersected or crossed, to its former state or in a manner not materially to impair its usefulness. Proviso.

§ 7. That the right of way and the real estate for the right of way and for the purposes aforesaid, purchased by said company, whether by mutual agreement or otherwise, or which shall become the property of said company, by operation of law, as in this act provided, shall, upon the payment of the amount of money belonging to the owner or owners of said land, as a compensation for the same, become the property of said company in fee simple. Property in fee simple.

§ 8. *Be it further enacted*, That all the rights, privileges and advantages, with the limitations and restrictions conferred upon the Illinois Central Railroad Company, also the rights, privileges and advantages conferred by an act entitled "An act to provide for a general system of railroad incorporations;" approved November 5th, 1849, and the several acts amendatory thereto, and all general acts granting privileges or making restrictions upon railroad incorporations, are hereby conferred upon said Clayton and Whitehall Railroad Company. Rights and privileges conferred.

§ 9. The said company shall, within one year after the passage of this act, elect one of their number president of said company; may elect or appoint all necessary clerks, secretary, treasurer and other officers necessary in the transaction of the business of said company; which president and other officers, aforesaid, shall be removable from their respective offices at the pleasure of the company; and said company shall have the power and they are hereby empowered to make all necessary by-laws, rules, regulations and ordinances that they may deem necessary and Officers.

expedient to accomplish the designs and purposes and to carry into effect the provisions of this act and for conducting the business and affairs of said company.

§ 10. This act shall take effect and be in force from and after its passage, and this act shall be deemed a public act.

APPROVED March 5, 1867.

In force March 7, 1867. AN ACT to incorporate the Broadway and Dyke Railway Company, of East St. Louis.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Vital Jarrott, Ernest W. Weder, George H. Bender, John O. Butler and B. C. Renois, and their successors, be and the same are hereby created a body corporate and politic by the name of "The Broadway and Dyke Railway Company," for the term of fifty years, with all the powers and authority incident to corporations, for the purposes hereinafter mentioned.

§ 2. The said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all necessary and convenient bridges and tracks for turnouts, sidetracks and appendages, in the city of East St. Louis, and in, on, over and along Broadway street and Dyke avenue, between the levee, at the Mississippi river bank, and the old route of the Saint Clair County Turnpike Company, east of Cahokia creek, subject to the control of the common council of said city, as hereinafter provided. But said corporation shall not be liable for the loss of any baggage carried on said railway, kept in and under the care of its owner or owners, or his or their servant or servants or agents.

§ 3. The capital stock of said corporation shall be fifty thousand dollars, and may be increased from time to time, at the pleasure of said corporation. The capital stock shall be divided into shares of one hundred dollars each, and be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board shall appoint. The first board of directors shall consist of said Vital Jarrott, Ernest W. Wider, George H. Bender, John O. Butler, and B. C. Renois, and thereafter of not less than three nor more than seven stockholders, who shall be chosen each and every

year, by the stockholders, at such times and in the same manner as said corporation shall by its by-laws prescribe. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancy which may happen in the board of directors, either by death, resignation or otherwise; they may, also, adopt such by-laws, rules and regulations for the government of said corporation and the management of its officers and business as they may think proper, not inconsistent with the laws of this state.

§ 5. A majority of said persons named in section one of this act, or their respective heirs, successors and assigns, may open books for subscription to the capital stock of said company. Upon subscription being made to said capital stock of twenty thousand dollars and five per cent. thereof paid in a majority of said named persons, or their respective successors, heirs and assigns, may call a meeting of the stockholders of said company for the election of directors of said company. Such directors shall hold their office for one year and until their successors are elected and qualified; and they may appoint a president and other needful officers of said company, who shall hold their offices for like terms, unless sooner removed.

§ 6. Upon such organization said company may establish and operate said railroad in, on, over and along said Broadway and Dyke avenue, of the said city of East Saint Louis, and may construct and operate branch roads, in, on, over and along any other street or streets, highway or highways, bridge or bridges, river or rivers, within the present or future limits of the said city of East Saint Louis, in such manner and upon such terms and conditions and with such rights and privileges as the council of said city may, by contract with said company, hereafter prescribe.

§ 7. The said corporation is authorized and empowered to take, hold, mortgage and convey real estate, for the purposes contemplated by this act, and to borrow, from time to time, such sums of money as in their opinion may be necessary to aid the construction of said railway, and pay any interest therefor, not exceeding ten per cent. per annum, and to pledge and mortgage the said railway and its appendages, or any part thereof, or any of the property and effects, rights or credits or appendages of said company, as security for any loan of money and interest thereon, and to dispose of the bonds issued for such loan at such rates or on such terms as the board of directors may determine.

§ 8. Said railway shall be commenced within two years from and after the passage of this act.

§ 9. This act and all powers and rights derived therefrom shall forever be and remain subject to all future general legislation of this state upon the subject of rates of fares.

Vacancies.

Books of subscription.

Election of directors

Organization.

Limits.

Hold property.

Mortgages.

Issuing bonds.

Limitation.

Previous legislation.

§ 10. This act shall be deemed a public act, and as such, shall be judicially noticed by all courts, without pleading, and shall be in force from and after its passage.

APPROVED March 7, 1867.

In force March 6, 1867. AN ACT to incorporate the Cairo and Vincennes Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Green B. Raun, D. Hurd, N. R. Casey, Wm. P. Holliday, J. B. Chasman, A. J. Knykendall, John W. Mitchell, S. Staats Taylor, Wm. R. Wilkinson, John M. Crebs Walter, L. Mayo, Robert Mick, Samuel Hess, George Mertz, V. Rathbone, D. T. Linegar, Aaron Shaw, James Tackney, W. W. McDowell, Isaac B. Watts, Isham N. Haynie, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of "The Cairo and Vincennes Railroad Company," with perpetual succession; and, by that name, both in law and equity, may sue and be sued, plead and be impleaded, defend and be defended against, in any court in this state or any other place; and may make, have and use a common seal, and alter the same at pleasure; and may receive, purchase, hold, sell, lease, convey and deliver real and personal property, for the purposes hereinafter mentioned; and shall have all the powers, privileges, rights and immunities which are or may be necessary and proper to carry into effect the purposes and objects of this act.

§ 2. The Cairo and Vincennes Railroad company shall have full power and authority to locate and, from time to time, to alter, change, re-locate, construct, reconstruct, and to fully finish, equip and maintain a railroad, with one or more tracks, from the city of Cairo, in Alexander county, by the way of Mound City, in Pulaski county, to some point on or near the line between this state and the state of Indiana, at or near Vincennes, Indiana; and, for this purpose, said company is authorized to lay out its said road, not exceeding two hundred feet wide, throughout the entire length of said road; and, for the purpose of obtaining stone, earth, sand or gravel, may take and appropriate as much more land as may be necessary for the proper construction, maintenance and security of said railroad; and, for constructing shops, depots and other suitable and convenient buildings and fixtures, in connection with and appurtenances to said railroad; may take and have, use and occupy any lands, upon either side of said railroad, not exceeding three hundred feet in depth from said railroad; and may take, have,

use and occupy all lands necessary for the construction and preservation of all necessary bridges for said railroad. And said company may take all such lands, by gift, purchase or making satisfaction for the same, in the manner hereinafter provided.

§ 3. The said company, and under their direction, their agents, servants and workmen are hereby authorized and empowered to enter into and upon the lands and grounds of or belonging to the state, or to any person or persons, body politic or corporate, and survey and take levels of the same or any part thereof, and to ascertain and set out such part or parts as they shall think necessary and proper for making said railroad; and, also, to make, build, erect or set up, in and upon the route of said railroad or upon the land adjoining or near the same, all such works, ways or roads and conveniences as may be requisite and convenient for the purposes of said railroad; and, also, from time to time, to alter, repair, reconstruct, widen or enlarge the same, or any of the conveniences above mentioned, as well for the carrying and conveying goods, commodities, timber and other things to and upon the said railroad, as for carrying all kinds of materials necessary for the making, erecting, furnishing, altering, repairing, amending, reconstructing or enlarging the works of or connected with the said railroad; and contract and agree with the owner or owners thereof for earth, timber, stone, sand, gravel or other materials, or any article whatever, which may be wanted in the construction or repairing of said railroad or any of its appurtenances—said company doing as little damage as possible in the execution of the powers hereby granted and making satisfaction in the manner hereinafter mentioned for all damages, if any there be sustained by the owner or owners of said land.

Possession of
lands, timber,
etc.

§ 4. Said company may contract and agree with the owner or owners of such land or lands, as the said company may wish to use or occupy, for the purpose of said railroad or for the purpose of procuring said gravel, stone, earth, timber or other material to be used in the construction of said railroad, for the repair of the same; and in case said company can not agree with the owner or owners of all or any part of such lands as aforesaid, so as to procure the same by the voluntary deed or act of such owner or owners; or if the owner or owners thereof, or any or either of them, be a *femme covert*, an infant, *non compos mentis*, unknown, or out of the country, in which the lands or any property wanted be situated, the same may be taken, condemned and paid for, if any damages are awarded, in the manner provided in "An act to amend the law condemning the right of way for purposes of internal improvement, approved June 22, 1852;" and the final decision or award shall vest the company hereby created, with all the rights, privileges, powers, franchises and immunities in said act contemplated.

Property of
femme covert
and infant.

Capital stock.

§ 5. The capital stock of said company shall be four millions of dollars, and the same may be increased by a vote of the majority of the stockholders, at any regular meeting, or at any called meeting, legal notice being given to each stockholder of such meeting and its object: *Provided*, the total amount of stock shall not exceed the sum necessary to build and complete said railroad, and furnish the necessary buildings, machine shops, station houses, water-tanks, wood sheds, depots, engines, freight and passenger cars, and all other necessary rolling stock for carrying on the business of said railroad.

§ 6. The capital stock of said company shall be divided into shares of one hundred dollars, which shall be deemed personal property, and may be issued, certified and registered in such manner, and in such places, as may be ordered or provided by the board of directors, who shall have power to require the payment of stock subscriptions in the manner, and at the time and place, and in such sums, as they may direct; and on refusal or neglect on the part of any stockholder to pay the calls on the stock owned by him or her, as required by the board of directors, the share or shares belonging to such stockholder, may, after thirty days' public notice, be sold at auction under such rules as the directors may adopt; and if any surplus money remain, after deducting the payment due with interest and necessary costs of sale, the same shall be paid to the delinquent stockholder.

§ 7. Each share of stock on which there shall be no unpaid calls, shall entitle the owner thereof to one vote, either in person or by legal proxy: *Provided*, that he or she shall have been the *bona fide* owner thereof for thirty days previous to the day of meeting at which such vote shall be offered, and for that purpose the ownership of said stock shall be determined by the books of the company.

Directors.

§ 8. The board of directors of said company shall consist of seven persons, each of whom must be a stockholder therein; and the first board of directors shall be chosen within sixty days from the passage of this act, and shall hold their offices for one year, and until their successors are duly elected or appointed; and said board of directors shall elect one of their own number as president, and shall also elect a secretary and treasurer, and such other officers as may be necessary for the transaction of the business of said company, who shall hold their offices as the rules and by-laws of said company shall determine. Vacancies in the board may be filled by vote of two-thirds of the directors remaining, such appointees to continue in office until the next regular annual election of directors.

Term of office.

Officers.

Vacancies.

Borrow money.

§ 9. The said company shall have power to purchase lands with the stock of said company or otherwise, and to borrow money to build, construct and equip said railroad;

and to secure the payment of said money may mortgage the lands, road or other property of said company; may give bond on the income or any portion thereof, and may, by their officers or agents, duly authorized, sell, dispose of, negotiate or hypothecate such bonds, stocks or mortgages belonging to said company, at such times and places, and at such rates, and for such prices, as in their opinion will best advance the interests of said company; and if such bonds, mortgages or stocks, are sold at a discount, such sale shall be as valid and binding in every respect, as if sold at par value; and said company may authorize the holders of any bond or mortgage issued as aforesaid, to convert the same into the stock of the company: *Provided*, the stock thus issued, shall not increase the actual issue beyond the amount of capital necessary to complete and equip the said road as before mentioned.

Disposition of bonds.

Proviso.

§ 10. The several towns, cities or counties, through or near which said railroad shall pass, may subscribe for and take stock in this company, and may issue bonds in payment for such stock of five hundred dollars each, bearing interest at the rate of eight per cent. per annum, or less, payable half-yearly in the city of New York, on the first days of January and July of each year, and bonds to run not longer than twenty-five years. And a tax of not more than one dollar on each hundred dollars' worth of taxable property, may be levied and collected in such town, city or county, per annum, to pay the installments on such stock, or to pay the interest and principal of bonds issued in payment for such stock: *Provided*, that no such subscription shall be made, no such bonds shall be issued, and no such tax shall be levied, unless a majority of the legal voters of said town, city or county, shall vote for the same, at an election to be held under order of the corporate authorities in cases of towns and cities, and of the county court, in cases of counties: *Provided, further*, that a majority of legal voters at any such election, shall be held as a majority of the legal voters of any such town, city or county; and the questions, of making a subscription, issuing bonds, and levying taxes, may be submitted as one question, or as separate questions, at such election; and either or all of said questions may be submitted to an election at any time, in the discretion of the authorities authorized to call such election.

Corporation subscription.

Tax.

Proviso.

Proviso.

§ 11. Said company shall have power to connect its railroad with any continuous line of railroad now constructed in this state, or the state of Indiana, on such terms as may be agreed upon between said companies, and shall have power to open subscription books in this or any other state, at such times and places as shall be determined by the president and directors, and shall have power to issue stock in payment for labor, materials, rolling stock or other machinery, in constructing, equipping or operating said railroad;

Additional powers.

Subscription books.

To issue bonds. and shall have power to issue bonds, and sell the same for money, labor, materials or rolling stock, to be used in building or operating said railroad.

Unoccupied road beds. § 12. Said company shall have power to enter upon and negotiate for, any abandoned or unoccupied road-bed upon the line of said railroad, and agree with the owners thereof as to the value of such road-bed, and make compensation for the same, in the stock of said company, or otherwise.

Restrictions. § 13. Nothing contained in this act shall authorize said company to take for the uses and purposes of the company, or to impair, cut down or remove any portion of the levees or embankments, constructed and erected, or to be constructed and erected around the city of Cairo, or any of its additions, by the trustees of the Cairo city property, or by any person or corporation under existing agreements with them, or by the corporate authorities of the city of Cairo, except by consent of said trustees and of said city of Cairo.

Cairo city property. Date of enforcement. § 14. This act to be a public act, and be in force from and after its passage.

APPROVED March 6, 1867.

In force March 7, 1867. AN ACT to incorporate the Quincy, Beardstown and Northeast Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That C. A. Savage, Charles S. Ebaugh, John Wood, Edward Wells, C. M. Pomeroy, Horace Billings, James C. Leonard, H. T. Foster, John R. Dutch, N. B. Thompson, James Epler, Charles Chandler and N. S. Read, and their successors, associates and assigns, are hereby created a body corporate and politic under the name and style of the Quincy, Beardstown and Northeast Railroad Company, and by that name be and they are hereby made capable in law and equity, to sue and be sued, plead and be impleaded, defend and be defended, in any court of law and equity in this state, or in any other place; 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 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 and construct, and finally complete, a railroad from Quincy to Beardstown, and from that to such other point as shall be decided by a majority of the corporators or directors, and for this purpose said company are authorized to lay out their said railroad wide enough for a single*

Corporators.

Name and style

Corporate powers.

Line of road

or double track, through the whole length, and for the purpose of cutting and making embankments, and procuring stone and gravel, may take as much more land as may be necessary for the proper construction and security of said railroad.

§ 2. The capital stock of said company shall consist of one million of dollars and may be increased to two millions of dollars, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in seven 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 number to be the president of the company. The said board of directors shall have power to appoint all necessary clerks, secretary and other officers necessary in the transaction of the business of said company.

§ 3. The said company is hereby authorized, by their agents, surveyors and engineers, to cause such examination and surveys to be made of the route, as above specified, as shall be necessary to determine the most advantageous ground whereon to construct said railroad, and it shall be lawful for said company 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 railroad, depot houses and other appendages: *Provided*, that all lands and real estate entered upon and taken possession of and used by said corporation for the purposes and accommodation of said railroad, or upon which the site for said railroad shall have been located or determined by the said corporation, shall be paid for in damages by said company, if any be sustained by the owner or owners thereof, by the use of the same for all the purposes of said railroad; and all lands entered upon and taken for the use of said corporation, which are not donated to said company, shall be paid for by said corporation, at such price as may be mutually agreed upon by the 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 same manner provided for taking lands for the construction of public roads, canals or other public works, as prescribed by the "Act concerning right of way, approved March 3rd, 1843."

§ 4. If any person shall willfully, maliciously or wantonly, and contrary to law, obstruct the passage of any car on said road, or any part thereof, or any thing belonging thereto, or shall damage, break or destroy any part of the said railroad, or implements or buildings, he, she or they, or any person

Capital stock.

Quorum.

President

Officers.

Examinations
and Surveys.Possession of
lands and real
estate.

Proviso.

Penalties for ob-
structing pas-
sage of cars,
and destruc-
tion of proper-
ty, etc.

assisting, shall forfeit and pay to said company, for every such offense, treble the amount of damages that may be proved before any competent court, shall have been sustained, and be paid 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 offense 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 the county where such indictment may be found.

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

Vote of stockholders.
Stock subscription. § 6. The persons named in the first section of this act, are hereby appointed commissioners, who, 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 keep said books open until the whole of said capital stock shall have been taken, or at least five hundred thousand dollars. Said commissioners shall require each subscriber to pay two dollars on each share subscribed. The said commissioners shall call a meeting of the stockholders, by giving thirty days' notice in some newspaper printed in the counties of Cass and Brown, 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, with all sums of money received by them as commissioners, to said directors. No person shall be a director in said company unless he shall own at least five shares of capital stock.

Payment of stock.
Delivery of books, funds, etc. § 7. That the right of way, and the real estate purchased for the right of way, by said company, whether by mutual agreement or otherwise, or which shall become the property of said company by operation of law, shall, upon the payment of the amount of money required to the owner or owners of said lands, as a compensation for the same, become the property of said company in fee simple.

Property in fee simple.
Business and operations. § 8. The said company may take and transport on said railroad, any person or persons, merchandise or other property, by the force and power of steam or animal, 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 payment of its stock, which is hereby declared to be personal property, and transferable in such manner as shall be provided by the by-laws and ordinances of said company.

§ 9. The directors of said company, after the same is organized, shall have power to open books in the manner prescribed by the sixth section of this act, to fill up the additional one million and five hundred thousand dollars of stock, or any part thereof, at such times as they may deem it for the interest of said company, and all installments required to be paid on the stock originally to be taken and what may be taken to increase said capital, shall be paid at such times, and in such sums, as said directors may prescribe.

Filling up of capital stock.

§ 10. In case of the death, resignation or removal of the president or any director, at any time between the annual elections, such vacancy may be filled for the remainder of the year, whenever they may appear, by the board of 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 tem.* who shall have and exercise such powers and franchises, as the by-laws of the said corporation may provide. In case it should at any time happen, that an election shall not be made on the day on which, in pursuance of this act, it ought to be made, the said corporation shall not for that cause, be deemed dissolved, but such election shall be held at any other time directed by the by-laws of said corporation.

Vacancies.

President pro tem.

Failure to hold elections.

§ 11. Whenever it shall be necessary for the construction of said railroad, to intersect or cross a track of any other railroad, or any stream of water or water course, or road or highway, lying on the route of said railroad, it shall be lawful for said company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, road or highway, intersected or crossed, to its former state, or in a sufficient manner, so as not to impair its usefulness.

Intersections and crossings.

Proviso.

§ 12. Said company shall have the power to unite its railroad with any other railroad now constructed, or which may hereafter be constructed in this state, on such terms as may be mutually agreed on between the companies so connecting, and for that purpose, full power is hereby given to said company to make and execute such contracts with any other company, as will secure the objects of said connection.

Connections.

§ 13. The said company is hereby authorized from time to time, to borrow such sum or sums of money, as may be necessary for completing and furnishing and operating their said railroad, and to issue and dispose of their bonds, in denominations of not less than five hundred dollars,

Indebtedness.

for any amount so borrowed, and to mortgage their corporate premises, and real estate, and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purposes aforesaid; and the directors of said company may confer on any bondholder of any bond, issued for money, borrowed as aforesaid, the right to convert the principal due or owing thereon into stock of said company, at any time not exceeding ten years from the date of the bond, under such regulations as the directors of said company may see fit to adopt.

Time of commencement and completion of road.

§ 14. This act shall be in force from and after its passage, and said company shall commence said work within five years and complete the same within ten years, from the passage of this act.

APPROVED March 7, 1867.

In force March 7, 1867.

AN ACT to incorporate the Centreville Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Philip Echert, Francis M. Taas, Christian Stem, Leonhart Bowl, Peter Dunn, F. C. Horn, Joseph Veile, Henry R. White, L. C. Burns, Valentine Brenfleck and David Bailey, their associates and successors, be and they are hereby constituted, a body politic and corporate, by the name and style of the "Centreville Railroad Company;" and, by that name, they and their successors shall be capable in law, of suing and being sued, in all courts of law and equity, as natural persons; and they are hereby vested with all the powers necessary for purchasing, taking, holding, selling and transferring property, real and personal, as natural persons, and sufficient in amount and value to carry out the objects of this act, which are to build, maintain and operate a railroad, from Centreville, St. Clair county, on the most eligible route to some point on the Belleville branch of the St. Louis, Alton and Terre Haute railroad, between Belleville and Centreville stations, in the said county of St. Clair, with one or more tracks, and with all necessary side-tracks, depots, turn-outs, stations and other buildings, erections and structures.

§ 2. For the purpose of acquiring the right of way, for the construction of said road, side-tracks and turn-outs and grounds, for depots, stations, or other buildings, erections and structures, and for the purpose of obtaining stone, gravel and other materials, for building, ballasting or repairing the same, and for right of way to said material, the said company be and are hereby authorized and empowered, to take, condemn and use the same under the provisions of

"An act to amend the law condemning the right of way for purposes of internal improvement, approved June 22, A. D. 1852."

§ 3. Said company shall have power, and it is hereby made lawful for said company, to unite its railroad with any other railroad or railroads now constructed, or which may hereafter be constructed, which may cross or intersect the same, or be built at either end thereof, upon such terms, and in such mode, as may be mutually agreed upon. Connections, etc

§ 4. When stock to the amount of one thousand dollars per mile of said route has been subscribed, the stockholders may meet at such time and place as they may agree upon, and elect a board of directors. Each stockholder for such purpose giving one vote for every fifty dollars of stock subscribed by him. Election of directors.

§ 5. The board of directors shall have power to pass all by-laws, rules and regulations, which they may deem advisable for the management of the officers of said company, not inconsistent with the constitution and laws of the state of Illinois. The stock shall be deemed personal property, and issued and transferred as may be provided by the by-laws. The capital stock of said company shall be one hundred thousand dollars, which may be increased from time to time, and divided into shares of fifty dollars each. By-laws, etc.
Stock personal property.
Capital stock.

§ 6. Said company may borrow money for completing and furnishing or operating said road, and issue their bonds for any amount so borrowed, bearing interest at any rate not exceeding ten per cent. per annum; and to secure the payment of any debts contracted as aforesaid, may mortgage their corporate property and franchises, or convey the same by deed of trust. All sales of such bonds as may be made at less than their par value shall be good and binding on said company. Indebtedness.

§ 7. Said company shall begin to build said railroad within five years, and complete the same within ten years from the passage of this act. Time of commencement and completion

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

APPROVED March 7, 1867.

AN ACT in aid of the Hannibal and Naples Railroad Company.

In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Hannibal and Naples railroad company, be and it is hereby authorized, to unite and consolidate its franchises and property of every kind and nature, with any other railroad com-* Consolidation of franchises and property.

pany, so as to form a continuous and uninterrupted line of railroad, on such terms and conditions as they may mutually agree upon; and for this purpose, they shall have and may exercise, all necessary and needful powers as fully as if they were specifically granted herein.

Election of directors.

§ 2. That whenever the Hannibal and Naples railroad company shall agree upon the terms of consolidation with any other railroad company, the parties to such agreement, shall immediately proceed to elect a board of directors for such consolidated company, of not less than five nor more than nine, who shall be stockholders, and one of them shall be elected president of said company, and thereupon such company shall be clothed with all the powers and privileges contained in the "Act to incorporate the Hannibal and Naples Railroad Company, approved February 12th 1863;" and such board of directors shall be elected annually thereafter, in such manner as the by-laws of the company shall prescribe, and shall hold their offices until their successors are elected and qualified.

President.

Powers, privileges, etc.

Rights of way.

§ 3. That said company shall have and may exercise all the powers conferred by any of the laws of this state, for acquiring rights of way for railroads, other roads or other public uses, under and by virtue of which, said company may condemn and take such property as may be necessary for its uses.

Conflicting laws repealed, etc.

§ 4. That all laws and parts of laws inconsistent with this act, be and the same are hereby repealed. The consolidation hereby authorized shall not impair any rights of any non-consenting stockholder, or of any creditor of said corporation.

§ 5. This act shall be deemed a public act, and shall take effect from and after its passage.

APPROVED March 7, 1867.

In force March 7, 1867. AN ACT to incorporate the Tuscola, Charleston and Vincennes Railroad Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Joseph G. Carman and Coleman Bright, of Douglas county, Jacob K. Decker, R. W. Purcells, Clayton Fugua, and John Monroe, of Coles county, William Lindsay, and David Boughman, of Clark county, James Gill, of Cumberland county, and — Callahan, of Crawford county, their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of "The Tuscola, Charleston and Vincennes Railroad Company," and by that*

Name and style

name be and they are hereby made capable in law and in equity, to sue and be sued, plead and be impleaded, defend and be defended, in any court of law or equity in this state or elsewhere; to make, have and use a common seal, and the same to renew and alter at pleasure; and they are hereby authorized to make and publish all necessary rules, regulations or by-laws, for the carrying out of the purposes intended by this act, and to alter and change the same at pleasure.

Powers.

§ 2. The capital stock of said company shall be three hundred thousand dollars, which may be increased by said company to any sum not exceeding two million dollars, which may be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued and transferred in such manner as the board of directors may prescribe.

Capital stock.

§ 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a railroad, with one or more tracks, commencing at Tuscola, in the county of Douglas, in the state of Illinois, to run from thence southerly to Charleston, Coles county, Illinois; thence in the same direction to the state line, opposite Vincennes, in the state of Indiana, on such line as may be finally designated by the board of directors, and with all necessary sidetracks, turnouts, switches, depots, stations and all necessary buildings, erections, and structures; and for this purpose they are hereby vested with all the powers necessary for the purchasing, taking, holding, and selling and transferring property, real and personal, as natural persons, as the board of directors may deem necessary to carry out the objects of this act.

Business powers.

§ 4. For the purpose of acquiring the rights of way for the construction of said road, sidetracks and turnouts, and grounds for depots, stations, or other buildings, erections and structures, and for the purpose of obtaining stone, gravel, and other material for building, ballasting or repairing the same, and of a right of way to said material, the said company be and they are hereby authorized and empowered to take, condemn and use the same, under the provisions of "An act to amend the law condemning the right of way for purposes of internal improvements, approved June 22, 1852."

Right of way.

§ 5. Said company shall have power to unite or connect its railroad with any other railroad constructed or which may be hereafter constructed, either in this state or the state of Indiana, upon such terms as may be mutually agreed upon between the companies so uniting or connecting, and for that purpose, full power is hereby given to said company to make and execute such contracts with any other company, as will secure the objects of such connection; and the said corporation may, furthermore, lease or

Connections.

purchase, upon such terms as may be agreed upon, any other roads or parts of roads, either wholly or partly constructed, which may constitute or be adopted as a part of their main line, and by such lease or purchase, they shall acquire and become vested with all the rights and franchises pertaining to such road or part of road, so leased or purchased, in the right of way, construction, maintenance and working thereof.

Indebtedness.

§ 6. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing and maintaining their said railroad, to issue and dispose of the bonds at such rates of interest, and at such discount as may be thought for the benefit of the company, and to mortgage their property and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purpose aforesaid; and the directors of said company may confer on any bondholder of any bond issued for money borrowed as aforesaid, the right to convert the principal due or owing therein, into stock of said company at any time, and may further authorize the holder of any such bond to vote at any and all elections for the election of officers for said corporation, under such regulations as the directors of said company may see fit to adopt, and any such bonds that may be sold or disposed of at a less rate than par, shall be as valid and binding upon said company as if the same were sold for the par value thereof.

Directors.

§ 7. All the corporate powers of said company shall be vested in, and exercised by, a board of directors, to consist of not less than five nor more than eleven members, and such officers, agents and servants, as they shall appoint. Vacancies in all of the board of directors, may be filled by a vote of two-thirds of the directors remaining; such appointees to continue in office until the next annual election of directors, which said annual election shall be held at such time and place, as may be designated and fixed by the by-laws of said company—thirty days' printed notice given in two newspapers having circulation along the line of the said railroad.

Officers, etc.

Vacancies.

Elections.

First directors.

§ 8. The persons named in the first section of this act, shall be the first directors of said corporation, and shall respectively hold their offices until their successors are elected and qualified.

Subscription to stock.

§ 9. Elections may be held by or in any county, city, incorporated town or township situated on or near the line of said railroad, as the same may be surveyed or located hereafter, upon the question, whether such county, city, town or township, shall donate to said company, or subscribe for any specified amount in shares of the capital stock of said company. Twenty days' notice shall be given of the time of holding such elections, and the election shall be con-

Elections for.

ducted in the mode prescribed in "An act entitled an act supplemental to an act entitled 'An act to provide for a general system of railroad incorporations, approved November 6, 1849,'" or in the mode prescribed in any other general law relating to such elections, or in the mode in which county, city, town or township elections are usually conducted; and if a majority of the votes actually cast at any such election shall be for subscription, it shall be the duty of the county court, or board of supervisors, where township organizations exist, or the corporate authorities of such county, city or town, or the supervisors of such township, to subscribe without unnecessary delay, upon request of said company, for shares of said capital stock to the amount so voted, and to issue and deliver to said company, without unnecessary delay, the same amount as the stock so subscribed, of the bonds of such county, city, town or township, as the case may be, payable at any time specified in, not exceeding twenty years, from their date, with annual or semi-annual coupons, for not exceeding ten per centum interest, per annum attached, which bonds and coupons may be made payable within or without the state, as said company may request; and the provisions of the above mentioned act, approved November 6, 1849, except such as are inconsistent with the provisions of this act, shall apply to and govern every election referred to in this section, in getting up the election and other matters connected with or growing out of such elections, but this act shall govern said elections, so far as it is applicable to them.

Duties of supervisors.

Payment of stock.

§ 10. It shall be the duty of such county court, board of supervisors, city or town, corporate authorities or township clerks, to order the holding of such elections, and give notice thereof, upon being requested so to do by fifteen of the legal voters of such county, city, town or township, as the case may be.

Notice of election.

§ 11. Whenever it shall be necessary for the construction of said road, to intersect or cross a track of any other railroad, or any stream of water or water course, or road or highway, it shall be lawful for said company to construct their said road across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, or road or highway thus intersected or crossed, to its former state, or in a manner not materially to impair its usefulness.

Crossings, etc.

§ 12. The rules and charges for freight and passengers shall be subject to legislative control, by the legislature of the state of Illinois.

Freight, etc.—charges and rules.

§ 13. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 7, 1867.

In force March
6, 1867.

AN ACT to incorporate the Bristol Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Robert Hopkins, Irus Coy, Andrew H. Arnold and Joshua N. Austin, of the town of Bristol, in the county of Kendall, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of "The Bristol Railroad Company," for the term of eighty years, and by that name may be and are hereby made capable, in law and in equity, to sue and be sued, plead and be impleaded, defend and be defended, in any court of law and equity in this state, 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 and are hereby vested with all the powers, and privileges, and immunities, which are or may be necessary to carry into effect the purpose and object of this act, as hereinafter set forth; and the said company are hereby authorized and empowered to locate, construct and finally complete a railroad from the village of Bristol, on the north bank of Fox river, in the county of Kendall, in the state of Illinois, to Bristol Station, on the Chicago, Burlington and Quincy railroad, in the said county, by the most direct and eligible route, connecting with the Chicago, Burlington and Quincy railroad, at or near the said Bristol. And for this purpose, said company are authorized, upon the most eligible and direct route, to lay out their said railroad, 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 railroad.

Corporate name
and powers.

Business
powers.

Capital stock.

Government of
affairs.

§ 2. The capital stock of said company shall consist of thirty thousand dollars, and may be increased to seventy-five thousand dollars, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in three 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 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 the president of the company; that said board of directors shall have power to appoint all necessary clerks, secretary, and other officers necessary in the transaction of the business of the said company.

Surveys, etc.

§ 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 places hereinbefore indicated, as shall be necessary to determine the most advantageous route for the proper line or course whereon to construct their said railroad; and it shall be lawful for said company 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 railroad: *Provided*, that all lands or real estate entered upon or taken possession of and used by the said corporation for the purposes and accommodations of said railroad, or upon the site of said railroad, shall have been located or determined by the said corporation, shall be paid for by the said company in damages, if any be sustained by the owner or owners thereof by the use of the same for the purposes of said railroad; and all the lands entered upon and taken for the use of said corporation, which are not donated to said company, shall be paid for by said corporation, at such price as may be mutually agreed upon by the 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 for taking lands for the construction of public roads, canals, or other public works, as provided by the act concerning right of way, approved March 3, 1845, and the acts amendatory thereto.

Possession of
lands.

Proviso.

§ 4. 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 the said company; and at all meetings, each stockholder shall be entitled to a vote in person or by lawful proxy—one vote for each share of stock he, she or they may hold, *bona fide*, in said company.

Annual meeting

§ 5. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of whom, are hereby authorized to open subscription books for said stock, at such places as they may deem proper, and shall keep said books open until at least the sum of ten thousand dollars of said capital stock shall be taken. Such commissioners shall require each subscriber to pay two dollars on each share subscribed, at the time of subscribing. When such amount shall have been subscribed, the said commissioners shall call a meeting of the stockholders, by giving fifteen days' notice in some newspaper in the said county of Kendall; and at such meeting, it shall be lawful to elect the directors of said company; and when the directors of said company are chosen, said commissioners shall deliver said subscription books, with all sums of money received by them as commissioners, to said directors. No person shall be a director in said company except he be a stockholder.

Commissioners

Stock subscrip-
tion.

§ 6. That the right of way, and the real estate purchased for the right of way by the said company, whether by mutual agreement or otherwise, or which shall become

Property in fee
simple.

the property of the company by operation of law, and in this act provided, shall, upon the payment of the amount of money belonging to the owner or owners of said lands, as a compensation for the same, become the property of said company, in fee simple.

Business and
operations.

§ 7. The said corporation may take and transport, upon said railroad, any person or persons, merchandise or other property, by the force and power of steam or animal, 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 empowered and authorized to make all necessary rules, laws and 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 transferable in such manner as shall be provided by the by-laws and ordinances of said company.

Balance of stock

§ 8. The directors of the said company, after the same is organized, shall have power to open books, in the manner prescribed by the fifth section of this act, to fill up the balance of the capital stock, or any part thereof, and the amount the aforesaid company is authorized to increase the capital stock to, by the second section of this act, at such time as they may deem it for the interest of the said company, and all the installments required to be paid in the stock originally to be taken, and what may be taken to increase said capital, shall be paid at such times, and in such sums, as said directors may prescribe.

Vacancies.

§ 9. In case of the death, resignation or removal of the president, vice president or any director, at any time between the annual elections, such vacancy 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 said corporation may provide. In case it shall at any time happen that an election shall not be made on any day on which, in pursuance of this act, it ought to have been made, the said corporation shall not for that cause be deemed dissolved, but such election shall be held at any other time directed by the by-laws of said corporation.

President, pro
tem.

Connections, etc

§ 10. Said company shall have power to unite its railroad with any other railroad now constructed, or which may hereafter be constructed, in this state, upon such terms as may be mutually agreed between the companies so connecting; and for that purpose, full power is hereby given to said company to make and execute such con-

tract with any other company as will secure the object of such connection; and the said corporation shall have power to consolidate its stock with any other railroad company.

§ 11. Said company is hereby authorized from time to time to borrow such sum or sums of money as may be necessary for completing and finishing or operating their said railroad, and to issue and dispose of their bonds, in denominations of not less than five hundred dollars, for any amount so borrowed, and to mortgage their corporate property or franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by the said company for the purposes aforesaid. And the said directors of said company may confer on any bondholder of any bond issued for money borrowed, the right to convert the principal due or owing thereon into stocks of said company, at any time not exceeding ten years from the date of the bond, under such regulation as the directors of said company may see fit to adopt. Indebtedness.

§ 12. The width of said railroad to be determined by the said corporation within the limits prescribed by the first section of this act; and they are hereby authorized to commence work on any point of said railroad that may be considered most expedient. Width of road.

§ 13. This act shall be in force for the period of eighty years, and the said company shall commence said work within four years, and complete the same within six years from the passage of this act. Period of charters, etc.

§ 14. This act shall be deemed and taken as a public act, and shall be construed beneficially for all purposes herein set forth. Construction of act.

APPROVED March 6, 1867.

AN ACT to incorporate the Fairbury, Pontiac and Northwestern Railway Company.

In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel L. Fleming, Nelson Buck, Jonathan Duff, William Strawn, R. B. Harrington, B. P. Babcock, S. C. Crane, John Dehner, S. C. Ladd, Walter Cornell, M. E. Collins, R. Plumb, Enoch Lundy, David McIntosh, H. L. Marsh, W. G. McDowell, J. W. Strevelle, J. B. Tyler, William B. Lyon, of Livingston county, Illinois, and their associates and successors, are hereby created a body corporate and politic, under the name and style of "The Fairbury, Pontiac and Northwestern Railway Company," with perpetual succession, and under this name and style shall be capable of suing and being sued, pleading and being impleaded, de- Corporators.

Corporate name and powers.

fending and being defended against, in law and equity in all courts and places whatsoever, in like manner and as fully as natural persons; may make and use a common seal, and alter or renew the same at pleasure; and by their said corporate name and style, shall be capable in law, of contracting and being contracted with; shall be and are hereby invested with all the powers, privileges, immunities and franchises, of receiving and disposing of real and personal estate, which may be needful for carrying into effect fully, the purposes and objects of this act. And said company are hereby authorized and empowered to locate, construct and complete a railroad, commencing at or near Fairbury, in Livingston county, thence to Pontiac in said county, and thence northwestwardly, to the most feasible point on the line of the Ottawa, Oswego and Fox River Valley Railroad, for an intersection therewith, to be determined by said company; with one or more tracks or lines of rails. Said company shall commence the construction of said road in good faith, within three years, and shall complete the same within ten years.

Business
ers, etc.

pow-

Capital stock.

Directors.

President.

Location, con-
struction, ap-
purtenances,
etc., of road.

Right of way.

§ 2. The capital stock of said company shall consist of five hundred thousand dollars, and may be increased by said company to one million, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in seven directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office 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 constitute a quorum for the transaction of business, shall elect one of their number to be president of the company, and shall have power to appoint or elect such other officers as they shall deem proper.

§ 3. The corporation hereby created, shall have power to locate, construct, furnish, maintain and operate a railroad as aforesaid, with all necessary side tracks, turn-outs, switches, depots, stations, and all necessary buildings, erections and structures; and for this purpose they are hereby vested with all the powers necessary for the purchasing, taking, holding and selling and transferring property, real and personal, as natural persons, as the board of directors may deem necessary to carry out the objects of this act.

§ 4. For the purpose of acquiring the rights of way for the construction of said road, side-tracks and turn-outs, and grounds for depots, stations and other buildings, erections and structures, and for the purpose of obtaining stone, gravel and other materials for building, ballasting or repairing the same, and of a right of way to said material, the said company be and they are hereby authorized and empowered to take, condemn and use the same, under the

provisions of "An act to amend the law condemning the rights of way for purposes of internal improvement," approved February 22, 1852.

§ 5. Said company shall have power to unite or connect its railroad with any other railroad constructed, or which may hereafter be constructed in this state, upon such terms as may be mutually agreed upon between the companies so uniting or connecting; and for that purpose full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of such connection; and the said corporation may furthermore lease or purchase, upon such terms as may be agreed upon, any other road or parts of road, either wholly or partially constructed, which may constitute or be adopted as part of their main line; and by such lease or purchase they shall acquire and become vested with all the rights and franchises pertaining to such road or part of road so leased or purchased, in the right of way, construction, maintenance and working thereof.

§ 6. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing, operating and maintaining their said railroad, and to issue and dispose of the bonds at such rate of interest and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises or convey the same by deed of trust to secure the payment of any debt contracted by said company for the purpose aforesaid. And the directors of said company may confer on any bondholder of any bond issued for money borrowed as aforesaid the right to convert the principal due or owing thereon into stock of said company at any time, and may further authorize the holder of any such bonds to vote, at any and all elections, for the election of officers of said corporation, under such regulations as the directors of said company may see fit to adopt; and any such bonds that may be sold or disposed of at a less rate than par, shall be as valid and binding upon said company as if the same were sold for the par value thereof.

§ 7. All the corporate power of said company shall be vested in and exercised by a board of directors, to consist of seven members, and such officers, agents and servants, as they shall appoint. Vacancies in all the board of directors may be filled by a vote of two-thirds of the directors remaining—such appointees to continue in office until the next annual election of directors; which said annual election shall be held at such time and place as may be designated and fixed by the by-laws of said company; thirty days' printed notice being given in one newspaper having circulation along the line of said railroad.

§ 10. To further aid in the construction of said road by Corporation subscription. any town under township organization, in Livingston county and La Salle county, Illinois, may subscribe to the capital stock of said company in any sum not exceeding fifty thousand dollars.

§ 11. No subscription shall be made until the question To be voted on. has been submitted to the legal voters of the town in which the subscription is proposed to be made; and the clerk of each of said [towns] is hereby required, upon the presentation of a petition signed by at least ten citizens, who are legal voters and tax payers of the town for which he is clerk, in which petition the amount proposed to be subscribed shall be stated, to post up notices in at least three of the most public places in said town, which notices shall be posted not less than ten days before the day of holding such election, notifying the legal voters of said town to meet at the usual places of voting, or some other convenient place in said town, for the purpose of voting for or against such subscriptions; but no such vote shall be taken, unless at a regular election for town and county officers.

§ 12. If it shall appear that a majority of all the voters have voted "For subscription," it shall be the duty of the supervisor of each of said towns that shall vote for such subscription to subscribe to the capital stock of said railroad company, in the name of the town for which he is supervisor, the amount so voted to be subscribed, and to receive from said company the proper certificates therefor; he shall also execute to said company, in the name of said town, bonds, bearing interest not to exceed ten per cent. per annum, which bonds shall run for a term not less nor more than twenty years, and the interest on the same shall be made payable annually; and which bonds shall be attested by the clerk of the town in whose name the bonds are issued; and it shall be his duty to make a record of the issuing of said bonds. Said bonds shall be delivered to the president or secretary of said railroad company for the use of said company. Duties of supervisor.

§ 13. It shall be the duty of the clerk of each of said towns, in which a vote was given for subscription, within ten days thereafter, to transmit to the county clerk of Livingston county, a transcript or statement of the vote given, and the amount voted to be subscribed, and the rate of interest named in the bonds. Statement of votes and the amount voted.

§ 14. It shall be the duty of the county clerk, annually Assessments. thereafter, to complete and assess upon all taxable property returned by the assessor of each of said towns which have voted to subscribe, a sufficient sum to pay the interest on all bonds issued by the respective towns, which tax shall be extended upon the collector's books as other taxes are, and shall be collected in the same manner that other taxes are

collected, and when collected shall be paid into the county treasury as county taxes are paid.

Duties of treasurer.

§ 15. It shall be the duty of the treasurer of said county to pay out, on the presentation to him of the bonds issued by any towns as aforesaid, the amount due upon each of said bonds as interest, out of any money in his hands for that purpose, and indorse the payment upon said bonds or take such voucher as he may prescribe. He shall also keep an account with each town of all money received by him, and paid on account of said towns, which account shall at all times be open to inspection by all persons wishing to examine the same.

Supervisor to represent and cast votes.

§ 16. At all elections for officers, and on all questions voted upon by the stockholders of said company, the supervisor of the town or towns who may subscribe to the stock of said company shall represent and cast the vote which said stock is entitled to.

Railroad subscriptions.

§ 17. Any railroad company with whose road the aforesaid road may intersect or connect, is hereby authorized and empowered to subscribe to the capital stock of this company, any sum not exceeding one hundred thousand dollars, and shall have the same rights, privileges and powers as other stockholders in this company, and shall be subject to the same conditions, restrictions and limitations as other stockholders therein.

Stockholders — liabilities of.

§ 18. No stockholder, whether corporate or natural person, shall be otherwise liable upon his, her or their subscription of stock to said company, and according to the calls of the directors, as hereinbefore provided.

§ 19. This act shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force March 6, 1867.

AN ACT to incorporate the El Paso, Pontiac and Kankakee Railway Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Nelson Buck, Jonathan Duff, S. C. Crane, John Delmer, Wm. B. Lyon, E. R. Maples, J. W. Strevelle, Henry Hill, B. P. Babcock, of Livingston county, Charles R. Starr, James M. Perry, Daniel S. Parker, James McGrew, Warren R. Hickox, of Kankakee county, G. L. Gibson, John D. Parks, and T. T. Harper, of Woodford county, Illinois, and their associates and successors, are hereby created a body corporate and politic, under the name and style of "The El Paso, Pontiac and Kankakee Railway Company," with

Corporate name and powers.

perpetual succession, and under this name and style shall be capable of suing and being sued, pleading and being impleaded, defending and being defended against, in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons; may make and use a common seal, and alter or renew the same at pleasure; and by their said corporate name and style, shall be capable in law of contracting and being contracted with; shall be and are hereby invested with all the powers, privileges, immunities and franchises, of receiving and disposing of real and personal estate which may be needful to carrying into effect fully the purposes and objects of this act. And said company are hereby authorized and empowered to locate, construct and complete a railway, commencing at or near El Paso, in Woodford county, thence to Pontiac, in Livingston county, and thence to Kankakee, or some point on the Chicago branch of the Illinois Central Railroad, between Kankakee and Chebause, to be determined by said company, with one or more tracks or lines of rails. Said company shall commence the construction of said road in good faith within three years, and shall complete the same within ten years.

Business powers and privileges.

§ 2. The capital stock of said company shall consist of one million of dollars, and may be increased by said company to three millions, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in seven directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office 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 number to be president of the company, and shall have power to appoint or elect such other officers as they shall deem proper.

Capital stock.

Directors.

Quorum.

President.

§ 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a railroad as aforesaid, with all necessary side-tracks, turn-outs, switches, depots, stations and all necessary buildings, erections and structures; and for this purpose they are hereby vested with all the powers necessary for the purchasing, taking, holding and selling, and transferring property, real and personal, as natural persons, as the board of directors may deem necessary to carry out the objects of this act.

Construction of road.

Appurtenances, etc.

§ 4. For the purpose of acquiring the rights of way for the construction of said road, side-tracks and turn-outs, and grounds for depots, stations and other buildings, erections and structures, and for the purpose of obtaining stone, gravel and other materials for building, ballasting or repairing the same, and of right of way to said material, the

Right of way.

said company be and they are hereby authorized and empowered to take, condemn and use the same, under the provisions of "An act to amend the law condemning the rights of way for purposes of internal improvement," approved June 22d, 1852.

Indebtedness.

§ 5. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing, operating and maintaining their said railroad, and to issue and dispose of the bonds at such rate of interest and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises, or convey the same by deed of trust to secure the payment of any debt contracted by said company, for the purpose aforesaid. And the directors of said company may confer on any bondholder of any bond issued for borrowed money as aforesaid the right to convert the principal due or owing thereon into stock of said company at any time, and may further authorize the holder of any such bonds to vote at any and all elections for the election of officers of said corporation, under such regulations as the directors of said company may see fit to adopt. And any such bonds that may be sold or disposed of at a less rate than par, shall be as valid and binding upon said company as if the same were sold for the par value thereof.

Directors, officers, etc.

§ 6. All the corporate powers of said company shall be vested in and exercised by a board of directors, to consist of seven members, and such officers, agents and servants as they shall appoint. Vacancies in all the board of directors may be filled by a vote of two-thirds of the directors remaining; such appointees to continue in office until the next annual election of directors, which said annual election shall be held at such time and place as may be designated and fixed by the by-laws of said company, thirty days' printed notice being given in two newspapers having circulation along the line of said railroad.

Commissioners.

§ 7. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of them, after a meeting duly called by thirty days' notice thereof in the Pontiac Sentinel, or other newspaper published in the said town of Pontiac, shall meet and proceed to open books and receive subscriptions to the capital stock of said company. Five dollars for each share subscribed shall be paid on subscribing; and whenever fifty thousand dollars shall have been subscribed the subscribers may organize said corporation, and proceed to the election of directors; and when the directors of said company are chosen the said commissioners shall deliver the said subscription books, with all sums of money received by them as commissioners, to said directors. No person shall be a director who shall not be a stockholder, and each stockholder shall

Meetings.

Subscription to stock.

Qualified directors.

be entitled to one vote for each share of stock he shall hold, upon which all calls have been paid. The directors of said company, after the same is organized, shall have power to open books to fill up the capital stock of said company, or any part thereof, at such time as they may deem expedient, and all installments required to be paid on the stock originally subscribed, or what may be taken to increase said capital, shall be paid at such times and in such amounts as said directors may prescribe: *Provided*, that subscriptions of stock may be made to said company in lands, at their cash value at the time of subscription, as may be agreed upon between the subscriber and the directors of said company, such subscriptions to be designated on the books as a land subscription, and to be considered as paid by a conveyance of such land to the company: *And, provided, also*, *further*, that said corporation shall dispose of all lands to which it may acquire title or fee other than such real estate as it may acquire for the use and operation of said road, as in this act provided, within five years after the acquisition thereof. Whenever it shall be necessary for the construction of said railroad to intersect or cross the track of any other railroad, or stream of water or water course, or road or highway on the route of said road, it shall be lawful for the company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, road or highway intersected or crossed, to its former state or in sufficient manner not materially to impair its usefulness.

Capital stock—
filling up of—
payment, etc.

Proviso.

Proviso.

Crossings, etc.

§ 8. That the right of way and the real estate for the right of way and for the purpose aforesaid purchased or acquired by said company, whether by agreement or otherwise, or which shall become the property of said company, by operation of law, as in the act provided, shall, upon the payment of the money agreed or adjudged to be paid to the owner or owners of said land as a compensation for the same, become the property of said company in fee simple.

Property in fee
simple.

§ 9. To further aid in the construction of said road by said company, any town under township organization, in any of the counties through which said road may pass, may subscribe to the capital stock of said company, in any [sum] not exceeding fifty thousand dollars.

Corporation
subscription.

§ 10. No such subscription shall be made, until the question has been submitted to the legal voters of the town in which the subscription is proposed to be made, and the clerk of each of said towns is hereby required, upon the presentation of a petition signed by at least ten citizens, who are legal voters and tax payers of the town for which he is clerk, in which petition the amount proposed to be subscribed shall be stated, to post up notices in at least three of the most public places in said town, which notices shall be posted not less than ten days before the day of holding

Determined by
vote.

Notice of elec-
tion.

such election, notifying the legal voters of said town to meet at the usual place of voting, or some other convenient place, in said town, for the purpose of voting for or against such subscriptions; but no such vote shall be taken unless at a regular election for town and county officers.

Duty of supervisor. § 11. If it shall appear that a majority of all the voters have voted "For subscription," it shall be the duty of the supervisors of such of said towns that shall vote for such subscription to subscribe to the capital stock of said railroad company, in the name of the town for which he is supervisor, the amount so voted to be subscribed, and to receive from said company the proper certificates therefor. He shall also execute to said company, in the name of said town, bonds bearing interest not to exceed ten per cent, per annum; which bonds shall run for a term of not less nor more than twenty years, and the interest on the same shall be made payable annually, and which bonds shall be attested by the clerk of the town in which name the bonds are issued, and it shall be his duty to make a record of the issuing of said bonds. Said bonds shall be delivered to the president or secretary of said railroad company for the use of said company.

Certificates of subscription.

Bonds—record of.

Statement of votes. § 12. It shall be the duty of the clerk of each of said towns in which a vote was given for subscription, within ten days thereafter, to transmit to the county clerk of the county in which said towns are situated a transcript or statement of the vote given, and the amount voted to be subscribed, and the rate of interest named in the bonds.

Duty of clerk. § 13. It shall be the duty of the county clerk annually thereafter to compute and assess upon all taxable property returned by the assessor of each of said towns which have voted to subscribe, a sufficient sum to pay the interest on all bonds issued by the respective towns; which tax shall be extended upon the collector's books as other taxes are, and shall be collected in the same manner that other taxes are collected, and when collected, shall be paid into the county treasury, as county taxes are paid.

Duty of treasurer. § 14. It shall be the duty of the treasurer of said county to pay out, on the presentation to him of the bonds issued by any town as aforesaid, the amount due upon each of said bonds as interest, out of any money in his hands for that purpose, and indorse the payment upon said bonds or take such voucher as he may prescribe. He shall also keep an account with each town of all the money received by him and paid on account of said towns, which account shall at all times be open to inspection by all persons wishing to examine the same.

Represent and cast votes. § 15. At all elections for officers, and on all questions voted upon by the stockholders of said company, the supervisor of the town or towns who may subscribe to the stock

of said company shall represent and cast the vote which said stock is entitled to.

§ 16. Any railroad company with whose road the aforesaid road may intersect or connect, is hereby authorized and empowered to subscribe to the capital stock of this company any sum not exceeding one hundred thousand dollars, and shall have the same rights, privileges and powers as other stockholders in this company, and shall be subject to the same conditions, restrictions and limitations as other stockholders therein. Railroad subscription.

§ 17. No stockholder, whether corporate or natural person, shall be otherwise liable upon his, her or their respective subscription of stock, than for the amount of their respective subscriptions of stock to the said company, and according to the calls of the directors, as hereinbefore provided. Stockholders' liabilities.

§ 18. Said company shall have power to unite or connect its railroad with any other railroad or railroads now constructed, or hereafter to be constructed, which may cross or intersect the same, or be built at either end thereof, upon such terms as may be mutually agreed upon. Connections.

§ 19. This act to take effect and be in force from and after its passage.

APPROVED March 6, 1867.

AN ACT to amend an act entitled "An act to incorporate the Wilmington and Monee Railroad Company." In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two of said act be so amended as to strike out the words "to the east line of the village of Monee, as laid out in said county," and insert "to the east line of the state." Sec. 2 amended

APPROVED March 7, 1867.

AN ACT to incorporate the Court Creek Railroad Company.

In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John C. Stewart, Lorentus E. Conger, Alonzo C. Clay, Charles E. Grant, W. Seldon Gale, James B. Boggs, John Gray, Alfred Kitchel, Francis M. Bruner, Francis Fuller, Clark E. Carr, Richard H. Whiting, Wm. N. Phillips, David Corporators.

| | |
|--------------------------|---|
| Name and style | Sanborn, Benjamin Lombard, jr., their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Court Creek Railroad Company," with perpetual succession, and by that name be and they are hereby made capable in law and equity in this state, or any other place, to make, have and use a common seal, and the same to renew and 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 and objects of this act, as are hereinafter set forth. And the said company are hereby authorized and empowered to locate, construct and finally complete a railroad, from the city of Galesburg to the Illinois river, to strike the Illinois river above the city of Henry, and below the city of Peru, and, also, from the city of Galesburg to the Mississippi river, at or near the foot of the Des Moines rapids; and for this purpose, said company are authorized, upon the most eligible and direct route, to lay out their said road, not exceeding one hundred feet in width; and for the purpose of cuttings, embankments, stone and gravel, may take as much more land as may be necessary for the proper construction of and security of said railroad. |
| Corporate powers. | |
| Line of road. | |
| Width. | |
| Capital stock. | § 2. The capital stock of said company shall consist of one million of dollars, to be divided into shares of one hundred dollars each, which may be increased from time to time by the directors of said company to an amount not exceeding the cost of the construction and equipments of said road. |
| Directors. | § 3. The immediate government and direction of said company shall be vested in a board of directors, not exceeding thirteen in number, who shall be chosen by the stockholders of said company, who shall hold their offices for one year after their election, and until others shall be duly elected and qualified to fill their places. A majority of said directors shall constitute a quorum for the transaction of business. They shall elect one of their number president of the company; they shall have power to appoint all officers necessary in the transaction of the business of the company. |
| Term of office. | |
| Quorum. | |
| President. | |
| Examination and surveys. | § 4. The said corporation is hereby authorized, by their agents, surveyors and engineers, to cause such examination and surveys to be made as shall be necessary to determine the most advantageous route for such railroad, and it shall be lawful for said company to enter upon, and take possession of, and use, all such lands and real estate as may be necessary for the construction, maintenance and operation of such road. And in case the said company shall not be able to obtain title to such real estate by purchase or otherwise, said company are authorized to proceed to obtain title |

in the manner provided by law, condemning right of way for purpose of internal improvement.

§ 5. The time for holding the annual meetings of said company shall be determined by the by-laws of said company, and at all such meetings each stockholder shall be entitled to vote, in person or by lawful proxy, one vote for each share of stock held by said stockholder on which all installments of stock called have been paid. Annual meet-
ings.

Vote of stock-
holders.

§ 6. The corporators hereinbefore named are hereby appointed commissioners, who, or a majority of them, are authorized to organize at a meeting to be called by ten days' notice in all the newspapers then published in the city of Galesburg, and to open subscription books for said stock at such places as they may deem proper, and shall keep such books open till one hundred thousand dollars of the stock shall be taken. Said commissioners shall require each subscriber to pay five dollars on each share at the time of subscription. Said commissioners shall immediately thereafter call a meeting of the stockholders by giving twenty days' notice in all the newspapers published in the city of Galesburg, and when the directors of the company shall be chosen, said commissioners shall deliver over to said directors said subscription books, and all sums of money received by such commissioners. No person shall be a director in said company unless he shall own four shares of the capital stock. Commissioners

Organization.

Subscription to
stock.

Delivery of
books, etc.

§ 7. Said corporation may take and transport on its railroad any persons, merchandise or other property, and may fix and take such rates of toll, for persons and property transported, as the said directors shall from time to time establish; and the directors are empowered to make all necessary rules and regulations to carry into effect the provisions of this act, and for the transfer and assignment of its stock, which is hereby declared personal property. Business and
operations

§ 8. In case of the death, resignation or removal of the president, vice president, or any director, such vacancy shall be filled by the board of directors, and said directors shall have power to appoint a president *pro tem*. Vacancies.

§ 9. When necessary, said road may be constructed upon or across any other railroad, any highway, or any water course; but said company shall restore such railroad, highway or water course to its former state in sufficient manner not to impair its usefulness. Crossings, etc.

§ 10. Said company shall have power to borrow money on the credit of the company, not exceeding its authorized capital stock, at a rate of interest not exceeding ten per cent. per annum, and may execute bonds therefor, with interest coupons attached, and secure the payment of the same by mortgage or deed of trust on the whole or any part of the road, property and income of the company then existing or thereafter to be acquired, and may annex to such Indebtedness.

mortgage bonds the privilege of converting the same into the capital stock of the company at par, at the option of the holders.

Sale of bonds.

§ 11. That the directors be and they are hereby authorized to negotiate and sell the bonds of the said company at such times and in such places, either within or without this state, and at such rates and for such prices, as in their opinion will best advance the interests of the company; and if such bonds are thus negotiated or sold at a discount below their par value, such sale and disposition thereof shall be valid and binding upon the company in every respect, as if they were sold at their par value.

Connections.

§ 12. Said company shall have power to unite its railroad with any other railroad now constructed, or which may hereafter be constructed, in this state, on the line of said road, or at the terminus thereof, upon such terms as may be mutually agreed upon between the companies so connecting; and for that purpose full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of such connection.

APPROVED March 7, 1867.

In force March 7, 1867. AN ACT to incorporate the Monee, Crete and Dyer Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Aaron N. Hart, Charles Clayes, John G. Osborne, John B. Hickox and James Briggs, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of "The Monee, Crete and Dyer Railroad Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places to adopt a common seal, and alter the same at pleasure; to adopt such by-laws, rules and regulations as they may deem expedient, and to have and exercise all other rights and powers necessary to carry out the provisions of this act.

Name and style

Powers.

Line and route of road.

§ 2. Said company when organized shall have the right to locate, build, contract, maintain, equip, operate and continue to operate, a railroad from some point within, at or near the village of Monee, in Will county, Illinois, through, or near Crete, to some point on the east line of sections twenty or twenty-nine, in township thirty-five north, of range fifteen east of the third principal meridian, and to extend the same, by the most eligible and practicable route, to some point in

or near sections seven, eight or nine, in township thirty-nine north, of range fourteen east of the third principal meridian.

§ 3. Said company, in laying out, locating, building, constructing and operating said railroad, may cross any railroad or railroad line, now laid out or hereafter to be laid out, in this state, and may construct said railroad across any stream of water, water course, road, highway, street, alley or canal, in such manner as not materially to obstruct the same; and may unite, intersect or connect, at or near Monee, with the Wilmington and Monee railroad, or with any other railroad running in a western or south-western direction, and on the east line of sections twenty or twenty-nine, aforesaid, with any other railroad, for the purpose of securing an eastern or south-eastern connection, on such terms as may be agreed upon between the parties: *Provided, however,* and it is expressly forbidden to said company to consolidate said railroad with any existing railroad of a competing direction, or for the purpose of preventing or hindering competition.

Crossings.

Proviso.

§ 4. Said company shall have the right to purchase, hold, lease and convey real estate and personal property, so far as the same shall be necessary to carry out the intentions of this act, and may sell and dispose of the same when not required for the purposes of their business.

Possession of real estate, etc.

§ 5. Said company shall have the right to lay out and establish their railroad, not exceeding one hundred feet in width, through the entire line thereof, and may take and appropriate to their own use all such lands necessary for the line and construction of said railroad, by first paying therefor such amount of damages as shall be agreed upon between said company and the owner or owners of said land; and in case of disagreement, then paying or tendering therefor such damages as shall have been settled by appraisal in the manner hereinafter provided; and for the purpose of cutting and making embankments, obtaining stone, sand, gravel or other material, said company may take and appropriate so much more land as may be necessary for the proper construction, maintenance and security of said railroad; and for the purpose of constructing shops, depots, side-tracks, and other suitable and convenient fixtures and appurtenances of said railroad, may take, have, use and occupy any lands on either side of said railroad, not exceeding two hundred feet in width; said company taking all such lands by gift or purchase, or making satisfaction for the same in the manner hereinafter provided.

Width of road.

Appropriation of lands, etc.

§ 6. If said company can not agree with the owners of lands required for the purposes aforesaid, so as to procure the same by deed, or the voluntary act of such owners, or, if the owner or occupier, or either of them, be a *femme covert*, infant, *non-compos mentis*, unknown or out of the

Lands to be paid for, etc.

county in which the land wanted is situated, then the same may be taken and paid for (if any damages are awarded), in the manner provided for in "An act to provide for a general system of railroad incorporations," approved Nov. 5th, A. D. 1849.

Capital stock. § 7. The capital stock of said company shall be one million of dollars, to be divided into shares of one hundred dollars each, to be deemed personal property, and transferable as such, on the books of the company in the manner and subject to the conditions provided in the by-laws. The capital stock may be increased by a vote of the stockholders from time to time, to any amount that may be deemed necessary, not exceeding in the aggregate the whole cost of said railroad and its appurtenances, which said capital shall be paid in such manner, at the time and in such installments, as required by the directors. Each share of stock shall entitle the holder thereof to one vote in the election of directors and to increase the capital stock, and any person entitled to vote may vote by written proxy.

Directors. § 8. There shall be elected annually, at such time as the by-laws shall provide, a board of five directors, who shall have the general management of the officers and affairs of said company. They shall have power to make by laws, rules and regulations for the government of the officers and affairs of the company, and they shall elect from their number a president, secretary and treasurer, who shall hold their offices during the term for which they were elected and until their successors are duly elected and qualified; and the directors may appoint other officers and agents, and prescribe the powers and duties of the several officers, agents and employees of said company; and a failure to elect directors at the time provided by the by-laws, shall not work a forfeiture of this charter or impair the rights of the stockholders.

**Officers, agents,
etc.**

Indebtedness. § 9. The said company is hereby authorized from time to time to borrow such sum or sums of money as may be necessary for the completing, equipping, maintaining, furnishing and operating or altering said railroad, and to issue and dispose of their bonds at any rate of interest not exceeding ten per cent. per annum, and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises, or any other property or effects, or convey the same by deed of trust to secure the payment of any debt contracted for the purposes aforesaid or any of them. And the directors of said company may at any time confer on the holder of any such bonds the right to convert the amount due or owing thereon into the stock of said company, and any such bonds that may be sold or disposed of at a less rate than par, shall be as valid and binding upon said company, as if the same were sold for the par value thereof.

§ 10. The right of way, and other real estate purchased by or donated to said company, shall be held by them in fee simple, and any such right of way or real estate taken, condemned or appropriated, shall upon due fulfillment by said company of the conditions prescribed by law to be by them performed or observed to entitle them to said property, shall also be held by said company in fee simple.

This act shall be deemed and taken to be a public act, and shall be construed beneficially for all purposes herein specified or intended, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to amend an act entitled "An act to incorporate the Rock Island and Peoria Railroad Company," approved February 14, 1855.

In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Rock Island and Peoria Railroad Company shall be allowed ten years, from and after the passage of this act, for the completion of its road, and shall have the right, by purchase or by condemnation, in the manner prescribed in the act to which this is an amendment, to acquire the right of way over any lands through which said road now passes, or may pass in process of such completion; but nothing in this act contained shall apply to the acquirement of lands for depot purposes within the corporate limits of the city of Rock Island.

Time for completion extended.

Right of way.

APPROVED March 7, 1867.

AN ACT to incorporate the Camp Point and Whitehall Railroad Company.

In force April 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That W. L. Oliver, Thomas Bailey, John T. Hagerty, E. E. B. Sawyer, Silas Bailey, John A. Roth, James Robertson, A. H. D. Buttz, B. F. Grover, J. K. Cleaveland, Charles Kenney, J. H. Dennis, Geo. W. Jones, Benj. Morris, D. D. Hicks and Scott Wike, and their associates and successors and assigns, be and they are hereby created a body corporate, by the name and style of "The Camp Point and Whitehall Railroad Company," with perpetual succession, and power to build, maintain and use a railroad from Camp Point, in

Corporators.

Name and style

- Line and route of road. Adams county, to Whitehall, in Greene county, upon same convenient and reasonable direct line between said points; with power to fix the capital stock of said corporation and to divide, transfer and increase the same at pleasure.
- Powers. § 2. Said corporation shall also have power to purchase, hold, lease, sell and convey, estate and property, whether real, personal or mixed, so far as may be necessary to carry out the intentions of this act; and in their corporate name may sue and be sued, and have a common seal, which they may alter or renew at pleasure; and shall have and exercise all powers, rights, privileges and immunities, which are or may be necessary to carry into effect the purposes and objects of this act.
- Width of road. § 3. For the purpose of constructing said railroad, said company shall have power to lay out and establish their road in width not exceeding one hundred feet, through the entire line thereof, and may take and appropriate to their own use,
- Possession of lands. of all such lands necessary for the line and construction of said road, upon first paying or tendering therefor such amount of damages as shall have been settled by appraisal, in the manner hereinafter provided, on all such lands as may be taken by said company. And for the purpose of cuttings and embankments, and for the purpose of obtaining stone, sand and gravel, may take and appropriate so much more land as may be necessary for the proper construction, maintenance and security of said road; and for constructing shops, depots, side-tracks and other suitable and convenient fixtures, in connection with appurtenances to said railroad, may take and have, use and occupy, any lands on either side of said railroad, not exceeding one hundred and fifty feet in width; said company taking all such lands as gifts or purchases, or making satisfaction for the same in the manner hereinafter provided. This act shall not be construed to restrict or prevent the construction of public roads or railroads across the road of said company when deemed expedient, but so as not to materially obstruct the same; and said company shall have power to construct their road across any such public road or railroad, upon like terms and conditions, anything in the laws or charter of any railroad to the contrary notwithstanding.
- Compensation and damages. § 4. If said company can not agree with the owners of lands which may be taken for the purposes aforesaid, so as to procure the same by deed or act of such owners of lands,
- Femme covert. or of the owner or occupier, or either of them, be a *femme covert*, infant, *non compos mentis*, unknown, or out of the
- Non compos mentis. county in which the land or property wanted may be situated, the same may be taken and paid for (if any damages be awarded) in the manner provided for in "An act to provide for a general system of railroad incorporations," approved November 5, 1849, and to the provision of this act.

§ 5. Said corporation shall cause books to be opened for subscription to the capital stock thereof, divided into shares of fifty dollars each, at such times and places as they may choose, and shall give at least thirty days' notice thereof, by publication in a newspaper published in the town where said books may be opened; and if there be no newspaper published therein, then in the nearest newspaper thereto. It shall be lawful for all persons of lawful age, or for the agent of any corporate body, to subscribe any amount to the capital stock of said company.

Stock subscrip-
tion.

§ 6. The corporation may require each subscriber to pay such an amount at the time of subscribing, not exceeding five dollars on each share, as shall be thought proper.

Payment of
stock.

§ 7. So soon as fifty thousand dollars of the capital stock is subscribed, the corporation herein named, or a majority of them, shall call a meeting of the stockholders for the election of not less than seven directors, who shall be stockholders; of which meeting, thirty days' notice shall be given, and the said election shall be conducted by two judges appointed by the stockholders present, and the persons having a plurality of votes shall be declared elected. In all elections the holders of stock shall be entitled to one vote for each share they may hold. Whenever the sum of fifty thousand dollars is subscribed as aforesaid, the said corporation may commence the construction of the aforesaid railroad.

Election of
directors.

Vote of share-
holders.
Commencement
of construc-
tion.

§ 8. All elections after the first for officers of this corporation, shall be held on the first Monday in January, annually, under the direction of three stockholders, not directors at the time, to be appointed by an order of the board at a previous meeting: *Provided*, the said directors may cause elections to be held on any other day, should there be no election on that day. All elections shall be held at some point on said road. The directors elected as aforesaid, shall continue in office for one year and until their successors are elected and qualified, and a majority shall form a quorum for the transaction of business, and shall reside within the limits of this state.

Time and place
of election.

Proviso.

§ 9. Said company are authorized and empowered to borrow such sums of money as in their discretion may be necessary from time to time, to aid in the construction of said road, and pay any rate of interest not exceeding ten per cent. per annum, and to pledge and mortgage said road and its appendages, or any part thereof, or any other property or effects, rights, credits or franchises of the said company, as security for any loan of money and interest thereon, and to dispose of the bonds issued for such loan, at such rate and on such terms, as the board of directors may determine.

Indebtedness

§ 10. Said corporation shall have power to make, or-
dain and establish all such by-laws, rules and regulations as

By-laws, etc.

may be deemed expedient and necessary to fulfill the purposes, and carry into effect the provisions of this act, and for the well ordering and securing the affairs, business and interest of said company, not inconsistent with the laws of this state.

Construction of
act.

§ 11. This act shall be deemed and taken as a public act, and shall be construed beneficially for all purposes herein specified or intended, and take effect from and after its passage.

Proviso.

§ 12. *Provided, however,* that if the aforesaid corporators or their assigns, shall fail to organize and commence the construction of said road within two years from and after the passage hereof, then and in that case, any company now organized or that may hereafter organize in this state, are hereby empowered to construct said road, commencing at the village of Camp Point, or at the village of Clayton, if considered more feasible, thence on the most direct route, to Whitehall, in Greene county, as provided in this act; and all the powers and privileges herein vested in said corporators shall be vested in said company, anything therein contained to the contrary notwithstanding.

APPROVED February 28, 1867.

In force March 1, 1867. AN ACT to incorporate the Mascoutah and Lebanon Railroad Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William D. Griswold, Conrad Santer, Joseph Schindler, A. Eisenmeyer, William Maus, William Moore, George C. Eisenmeyer, Philip H. Postel, George Swaggard, Nicholas Per-ring, and their associates and assigns, are hereby created a body corporate and politic, under the name and style of "The Mascoutah and Lebanon Railroad Company," with perpetual succession, with all the powers and privileges heretofore granted, and necessary and incident to any railroad corporation created or existing in this state, and with power to locate, re-locate, construct, equip, operate and maintain a railroad, with a single or double track, and with such appurtenances as may be deemed necessary by the directors for the convenient use of the same, from Mascoutah to Lebanon in St. Clair county; and for this purpose to enter upon and take a strip of land, one hundred feet in width, the entire length of said road, on such line as may be surveyed and determined upon by said company, with such additional grounds as the company may deem necessary, for side-tracks, turn-outs, water-stations, depots and such other purposes as may be necessary and proper to the

Name and style
Powers.

convenient use, construction and operation of said railroad, with power to condemn the same under any law of this state, if the same can not be acquired by purchase, and with power to said company to consolidate or make contracts or running arrangements, as it may be deemed proper, with the Ohio and Mississippi Railway Company, which company is hereby authorized to subscribe for stock in the corporation hereby created.

§ 2. The persons named in the first section of this act, or a majority of them, may open books for subscription to the capital stock of said company, which shall be one million dollars, divided into shares of one hundred dollars each, giving notice of the times and places when and wheresaid books will be opened, at least thirty days previous thereto, by publication in one newspaper published in the county of St. Clair, under such regulations as they may determine; and when the sum of one hundred thousand dollars shall be subscribed, notice shall be given in a newspaper published in said county of St. Clair, of an election by the stockholders, of a board of directors, which shall consist of seven members, under such regulations as may be prescribed in said notice, and said directors shall hold their offices for the term of one year and until their successors are elected and qualified; and in all such elections each share of stock shall be entitled to one vote, and the board of directors shall elect one of their board president of said board, and said board may make and establish such rules for their government, as they may deem necessary, and not inconsistent with the laws of this state.

§ 3. This act shall be taken and deemed a public act, and shall be in force from and after its passage.

§ 4. The towns of Macoutah and Lebanon are hereby authorized to subscribe to the capital stock of said company, to the extent of twenty-five thousand dollars each, and may lay a special tax for the payment of the same.

APPROVED March 1, 1867.

AN ACT to incorporate the Illinois Grand Trunk Railway.

In force Feb'y
28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William P. Pierce, Henry Sherrill, Charles H. Gilman, Jacob Albright, and A. J. Mattson, and their associates, successors and assigns, be and they are hereby created a body corporate, by the name and style of "The Illinois Grand Trunk Railway," with perpetual succession, and power to build, maintain and use a railroad, from some point or

Name and style

- Line of road. points on the Mississippi river, either at Rock Island, Fulton or any intermediate point or points, to Prophetstown, Mendota, Newark, the village of Lisbon, Grintown and Joliet to Chicago, or to any desirable point on the Indiana state line. The said railroad to be built on or near the established line of the old Illinois Grand Trunk Railway, as nearly as may be practicable, from Prophetstown to Joliet, running through the places before named, between Prophets-
- Powers and privileges. town and Joliet. To purchase, hold, lease, sell and convey estate, whether real, personal or mixed, so far as may be necessary to carry out the intentions of this act; and in their corporate name, may sue and be sued as natural persons; to have and use a common seal; to make all by-laws, rules and regulations deemed necessary and proper, for the government and management of said corporation and its affairs; and shall have the right to exercise all powers which are or may be necessary to carry into effect the purposes and objects of this act; and also for such purposes, may make, execute and deliver bonds, notes, mortgages or other evidences of indebtedness and agreements to pay the same; and for such purposes, may negotiate for and take the same.
- Right of way of old Ill. Grand Trunk railway § 2. Said corporation shall have the right to negotiate for and purchase the road-bed and right of way of the late or old "Illinois Grand Trunk Railway," from Albany, in Whiteside county, to Joliet, in Will county, and each and all of the corporate rights, franchises and privileges of said old Illinois Grand Trunk Railway Company, and to go on and build and complete the same when so purchased, to all intents and purposes, the same as said Illinois Grand Trunk Railway might have done, had the organization thereof been kept up; but nothing in this act shall be construed to make the corporation hereby formed, liable in any way or manner to pay the debts of said old Illinois Grand Trunk Railway Company. And all rights, privileges, franchises and property, which have lapsed and reverted to the state of Illinois from the failure of the old Illinois Grand Trunk Railway, are hereby granted and vested in the corporation created by this act.
- Liabilities.
- Vested rights.
- Examinations and surveys. § 3. The said corporation is hereby authorized by their agents, surveyors and engineers, to cause such examination and surveys to be made of the ground and country between said points above mentioned, from the west to the east line of this state, as shall be necessary to determine and select the most proper, direct and feasible route whereon to construct their said railroad; and it shall be lawful for said corporation to enter upon and take possession of and use all such lands and real estate, as may be necessary for the construction, maintenance and operation of their said railroad: *Provided*, that all lands or real estate entered upon and taken possession of and used by said corporation, for the
- Possession and use of lands.

purposes and accommodation of said railroad, or upon which the site of said railroad shall have been located and determined by said corporation, shall be paid for by said company to the owner or owners thereof, by the use of the same for the purposes of said railroad; and all lands entered upon and which are not donated to said company for the use of said railroad, shall be paid for by said corporation, at such price as may be mutually agreed upon by the corporation and the owner or owners of such lands; and in all cases where said company shall not be able to acquire the right of way through any lands or premises they may wish to occupy for the purposes of said railroad or its appendages, by purchase or voluntary cession, said company may proceed to obtain such right of way by the provisions of "An act to provide for a general system of railroad incorporations, approved, November 5, 1849," and any act or acts passed amendatory thereof or supplemental thereto; and said corporation shall have and possess all the powers, privileges and immunities provided in and by said general railroad act, or acts amendatory thereof, or supplemental thereto.

Right of way.

§ 4. The capital stock of said company shall be one million dollars, which may be increased to such amount as may be found necessary to complete said road. Said stock shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued and transferred as the board of directors may prescribe.

Capital stock.

§ 5. The time of holding the annual meetings of said corporation 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 in the stock, he, she or they may hold, *bona fide*, in said corporation.

Annual meetings.

§ 6. The persons named in the first section of this act are hereby appointed the directors of said corporation, and shall hold their office for one year from the first day of June, A. D. 1867, or until others are elected; and said persons heretofore named in section one of this act, are also appointed commissioners, who, or a majority of whom, are hereby authorized to open stock subscription books for the capital stock, at such time or times and place or places, as they may deem proper; said commissioners shall require each subscriber to pay five dollars on each share of capital stock subscribed at the time of subscribing. The directors appointed by this act, or a majority of them, shall constitute a quorum for the transaction of business, and shall elect one of their number to be president of said company. They shall also elect a secretary and treasurer, and such officers and agents as they shall deem proper. In case a vacancy occurs in the board of directors, it may be filled

Directors.

Commissioners

Stock subscription.

Quorum.

President and officers.

by the remaining directors, or as the by-laws of said corporation may prescribe; no person shall hereafter be elected a director in said company, unless he shall be a stockholder thereof.

Property in fee simple.

§ 7. The right of way, and real estate acquired for the right of way and depot ground, by said company, whether by mutual agreement or otherwise, or which shall become the property of the company by operation of law, as in this act provided, shall, upon the payment of the amount of money belonging to the owner or owners of said lands as a compensation for the same, become the property of said company in fee simple.

Femme covert and non compos mentis.

§ 8. That when the lands of any *femme covert*, person under age, *non compos mentis*, or any non-resident of the state, shall be taken in the construction of said railroad, as is provided by this act, the said corporation shall pay the amount that shall be awarded as due to said owner or owners respectively, whenever the same may be lawfully demanded, together with interest thereon at six per cent. per annum, or may deposit the amount with the county treasurer of the county in which the land so taken lies.

Connections.

§ 9. It shall be lawful for the company created by this act, to unite with any railroad company whose line of road comes to the east line of this state from the east, and it may also unite with any railroad company whose line of road comes to the Mississippi river from the west, or with any such company or companies who have the right to use any railroad or railroads coming to the said east line, or to the Mississippi river, or the company hereby formed may lease or sell their road to any company, either in or out of this state who will agree to furnish the capital to finish, build, construct, furnish and equip said railroad to completion for practical use, and that such purchasing or leasing company may go on and complete said railroad, and work the same with like power and effect, and in the name of the company hereby formed.

Borrow money.

§ 10. For the purpose of facilitating the construction of the railroad authorized by this act, said corporation is empowered to borrow money and pledge its property, both real and personal, and its rights, credits and franchises, to secure the payment thereof.

§ 11. This act shall be deemed to be a public act, and shall take effect from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Belvidere and Illinois River Railroad In force Feb'y
Company. 28, 1867.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That M. G. Leonard, Ira Wilson, Stephen A. Hurlbut, Charles F. Witt, James S. Waterman, Reuben Elwood, Jonathan Abel, and James H. Culver, and their associates, successors and assigns, are hereby created a body corporate and politic, under and by the name and style of "The Belvidere and Illinois River Railroad Company," with perpetual succession; 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 all courts of law and equity in this state or elsewhere; to make, have, and use, a common seal, and the same to 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; and the said company are hereby authorized and empowered to locate, construct, and finally complete and put in operation, a railroad from the town of Belvidere, in Boone county, southwardly to any point on the Illinois river, from Morris to Ottawa, deemed by the said company the most eligible; and for that purpose the company are authorized and empowered, upon the most eligible route, to lay out their railroad for a single or double track, to any width not exceeding one hundred feet, through the whole length; and for the purpose of constructing embankments, may take as much land as may be necessary for the proper construction and security of said railroad. The capital stock of said company shall be one million of dollars, and may be increased from time to time, at the pleasure of said corporation. It shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and be issued and transferred in such manner and upon such conditions as the board of directors may direct. The immediate government and direction of said company shall be vested in not less than five nor more than thirteen directors, and such officers and agents as said board of directors shall appoint. Said directors shall be chosen by the stockholders of said company in the manner herein provided, and shall hold their office for one year after their election, and until their successors shall be duly elected and qualified, a majority of whom shall form a quorum to do business. Said board may require any appointee to give bond and security. The said company are 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 Belvidere and Illinois river afore-*

Corporate name
and powers.

Business
powers.

Capital stock.

Directors.

Examinations
and surveys.

said, as shall be necessary to determine the best route for the proper line or course whereon to construct their said railroad; and it shall be lawful for said company to enter upon and take possession of and use, any and all such lands and real estate as may be necessary for the construction and maintenance of their said railroad: *Provided*, that all lands and real estate entered upon and taken possession of and used by said corporation for the purpose and accommodation of said railroad, or upon which the site for said railroad shall have been located or determined by the said corporation, shall be paid for by said company, in damages, if any be sustained by the owner or owners thereof, by the use of the same for the purposes of said railroad; and all lands entered upon and taken for the use of said corporation, which are not donated to said company, shall be paid for by said corporation at such price as may be mutually agreed upon by said corporation and the owner or owners of said land; and in case of no agreement therefor, the price shall be estimated, fixed and recovered in accordance with "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, 1852. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of them, are hereby authorized to open or cause to be opened, subscription books for the stock of said company, at such time and places as they may think proper, and also to appoint one or more agents to open such books, and receive such subscriptions; and whenever fifty thousand dollars shall be subscribed, the said commissioners, (or a majority of them), shall call a meeting of the stockholders, by giving twenty days' notice in some newspaper printed in the counties of Boone and De Kalb; and at such meeting it shall be lawful for the stockholders to elect the directors of said company, and transact any other business that may be deemed necessary; and when the directors are chosen, the said commissioners shall deliver said subscription books, with all sums of money received by them, or by any agent appointed by them as commissioners, to said directors. No person shall be a director unless he shall be a *bona fide* stockholder in said company. It shall be lawful for the directors to make calls upon the sums subscribed to the capital stock of said company, at such time or times, and in such amount, as they shall deem fit, giving at least twenty days' notice of each of said calls, in at least three public newspapers published in this state; and in case of failure on the part of any stockholder to make payment of any call made by said directors for sixty days after the same shall be due, the said board of directors are hereby authorized to declare such stock so in arrears, and all sums paid thereon forfeited to said company. The time of holding the annual meetings of said company for the election of directors, and for the transaction of any

Possession of
real estate, etc.

Stock subscrip-
tions.

Meetings of
stockholders.

Delivery of
books, etc.

Bona fide stock
holders.
Calls for stock.

Failure of pay-
ment of.

Vote of stock-
holders.

other business by the stockholders, shall be fixed and determined by the by-laws of said company; and at all meetings such stockholders shall be entitled to one vote, in person or by lawful proxy, for each share of stock he, she or they may own and hold *bona fide* in said company. The directors of said company 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 all the provisions of this act, and for the issuing and transfer of its stock. Said directors are hereby authorized and empowered to take and receive subscriptions to their capital stock on such terms, and in such amounts, as they may deem for the interest of said company, from any other railroad company or corporation, and from any county, city, town or village; and any such subscription shall be valid and binding upon any railroad company, corporation, county, city, town or village making the same: *Provided*, said subscriptions shall be made subject to the provisions of "An act supplemental to an act entitled 'An act to provide for a general system of railroad incorporations, approved November 6, 1849:'" *And provided, further*, said company may take or receive subscriptions to their capital stock, payable in real estate. The said corporation may take and transport upon said railroad, any person or persons, merchandise 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, subject, however, to such regulations and restrictions as have been, or may hereafter be, established by the laws of this state of a general application. The right of way, and the real estate purchased for the right of way, and for other purposes, by said company, whether by mutual agreement or otherwise, or which shall become the property of the company by operation of law, as in this act provided, shall, upon the payment of the amount of money belonging to the owner or owners of said lands, as a compensation for the same, or upon tendering the amount therefor, become the property of the said company in fee simple, unless otherwise agreed upon between said company and the seller thereof. Any person who shall willfully injure or obstruct the said road, or any of the appurtenances thereto, shall be guilty of a misdemeanor, and shall forfeit to the use of the company, a sum three-fold the amount of the damages occasioned by such injury or obstruction, to be recovered in an action of debt, in the name of said company, with costs of suit, before any justice of the peace or before any court of record in this state. In case it should at any time appear that an election of directors should not be made on the day

Rules, etc.

Corporation
subscription.

Proviso.

Proviso.

Business and
operations.

Rates of toll.

Right of way.

Penalties.

Failure to elect.

which, in pursuance of this act, or the by-laws of said company, it ought to be made, such failure to elect shall in nowise affect the rights of said company; but such election shall be held at any other time which may be directed by the directors. In case of the death, resignation or removal of any of the directors, at any time between the annual elections, such vacancy may be filled for the remainder of the year, by the remaining directors or a majority of them.

Vacancies. Whenever it shall be necessary for the construction of said railroad to intersect or cross the track of any other railroad, or any stream of water, or water-course, or canal, or road or highway, it shall be lawful for the company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water, water-course, canal, road or highway, thus intersected or crossed, to its former state, or in a sufficient manner not materially to impair its usefulness. Said company shall have power, and it is hereby made lawful for said company; to unite its railroad with any other railroad or railroads now constructed, or which may hereafter be constructed, within this state, which may cross or intersect the same, or be built at either end thereof, upon such terms as may be mutually agreed upon between the said company and any other company so connecting; and for that purpose full power is hereby given to said company to make and execute such contracts with any other company or companies as shall secure the objects of such connections. The said company may borrow such sums of money as may be necessary for completing and furnishing or operating their said railroad, and issue its bonds or other evidence of indebtedness, bearing a rate of interest not exceeding ten per cent. per annum, and payable at such time or times and at such place or places as its directors may think proper, and may secure such bonds or other indebtedness, by mortgage or deed of trust of its corporate property and franchises, in such manner as the said directors may think fit, and may sell such bonds or other evidences of indebtedness, at any rate of discount agreed upon by the said directors.

Crossings and intersections. § 2. This act shall be deemed a public act, and shall be favorably construed for all purposes herein expressed, in all courts and places whatsoever, and shall take effect from and after its passage: *Provided*, that said company shall commence the construction of said railroad within five, and complete the same within ten years from the passage of this act.

Proviso. Construction of act.

Connections, etc.

Indebtedness.

Proviso.

APPROVED February 28, 1867.

AN ACT to authenticate and confirm the incorporation of the Western Union Railroad Company, and the consolidation thereof with a certain railroad company in the state of Wisconsin, and to grant rights of transportation by water. In force March 4, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the formation of the Western Union Railroad Company of Illinois heretofore effected and created, under and by virtue of an act entitled "An act to facilitate and authenticate the formation of a corporation by the purchasers or future owners of the Racine and Mississippi Railroad, approved February 21, 1863," and all acts and proceedings for the formation of said company, under and by virtue of said act, are hereby fully ratified and confirmed, and are declared legal and binding in all respects.

Act approved
Feb'y 21, 1863,
ratified and
confirmed.

§ 2. That all acts and agreements of consolidation heretofore made and entered into by and between the Western Union Railroad Company of Illinois, and the Western Union Railroad Company of Wisconsin, and all acts, agreements and proceedings in relation thereto, are hereby fully ratified and confirmed, and that all acts and agreements of consolidation heretofore made and entered into by and between the Western Union Railroad Company, and the Northern Illinois Railroad Company of the state of Illinois, and all acts, agreements and proceedings relating to said last named consolidation, be and the same are hereby fully ratified and confirmed, and declared in all respects legal and binding upon all parties thereto: *Provided*, that this act shall not be construed to affect or impair any right, remedy or franchise now belonging to the Racine and Mississippi Railroad Company, its creditors, stockholders or assignees, or any right in controversy in a certain suit lately pending in the circuit court of Stephenson county, of the Farmers' Loan and Trust Company, against the Racine and Mississippi Railroad Company and others; nor shall this act be construed to affect or impair any right or remedy of any creditor, or non-consenting stockholder, of either of the companies so consolidated.

Agreements of
consolidation
confirmed.

Proviso.

§ 3. The Western Union Railroad Company, the company formed and now existing under and by virtue of the consolidation of the Western Union Railroad Company last above named, and the Northern Illinois Railroad Company of the state of Illinois, shall have power to enter into and conduct by water, in connection with its railroad, a general transportation and carrying business, to and from Savanna, on the Mississippi river, and such other parts and places, as the said company may see fit, and to build for their own use, equip, furnish, fit, purchase, charter or own steamers, propellers, sail or other boats or vessels, to be used by said company, in lawful business, commerce, trade

Powers, etc.

or navigation upon the lakes, rivers or canals, situated within or without this state, and for the carriage, transportation, storing or lading, of freight, mail, property or passengers, and in the lawful pursuit or conduct of the business aforesaid. Said company may, in its corporate name and capacity, make and execute to and with any person or persons, body politic or corporate, any and all contracts, writings, obligations and vouchers whatsoever, and the said company shall, by their corporate name, be capable in law of purchasing, holding, owning, hiring, leasing and conveying, any real or personal estate or property whatsoever, necessary to enable said company to carry on the operation or business aforesaid, and to build and construct all necessary ware-houses, piers, docks, offices, ways and dry docks.

§ 4. This act is hereby declared to be a public act, and shall take effect and be in force from and after its passage.

APPROVED March 4, 1867.

In force March
5, 1867.

AN ACT to incorporate the Dixon, Peoria and Hannibal Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William
 Corporators. H. Van Epps, Tobias S. Bradley, George W. Scott, John
 H. Bryant, Jason C. Ayers, James K. Edsall, James L.
 Camp, John P. Reynolds, John H. Cropsey, James Ross,
 Samuel C. Eells, and Henry T. Noble, are hereby made and
 constituted a body politic and corporate, by the name and
 Name and style style of "Dixon, Peoria and Hannibal Railroad Company,"
 with perpetual succession; and, by that name and style,
 shall be capable, and are hereby empowered and authorized
 Powers, privi- in law, of taking, purchasing, holding, leasing, selling and
 leges, etc. conveying real and personal estate and property, so far as
 the same may be requisite and necessary for the purposes
 hereinafter mentioned; and in their said corporate name,
 may sue and be sued, plead and be impleaded, defend and
 be defended, in all the courts and places; to have a common
 seal, which they may alter and renew at pleasure; to have
 a capital stock of five hundred thousand dollars, to be divided
 into shares of one hundred dollars each, which said
 capital may be increased from time to time, by a vote of a
 majority of the directors of the corporation, to any sum
 requisite for the completion and fulfillment of the objects
 and purposes of the corporation hereby created; and the
 said above named persons shall be and constitute the first
 board of directors, and are hereby vested with and may

have and exercise all powers, rights, privileges and immunities, which are or may be necessary to carry into effect and complete, use and enjoy the purposes and objects of this act, as hereinafter set forth.

§ 2. Said directors shall organize the board as soon as practicable after the passage of this act, by electing one of their number president, and by appointing a secretary and treasurer, which organization shall be certified by said directors or a majority of them, and such certificate shall be recorded in the record book of said company, and said record shall be sufficient evidence of such organization, and a certified copy thereof, under the seal of said corporation, shall be received in all the courts of this state, as evidence of the facts therein stated; and said directors shall hold their offices until the first Wednesday of October following their organization, and until their successors shall be elected and qualified as hereinafter provided. All vacancies in said board may be filled by a vote of two-thirds of the directors present, and at any regular meeting of the board, or at a special meeting called for that purpose.

§ 3. The said company are hereby authorized and empowered to locate, and from time to time to alter, change, relocate, construct, reconstruct and fully to finish, perfect, operate and maintain a railroad, with one or more tracks, from the city of Dixon, in Lee county, to some practical point on the east side of the Mississippi river, near or opposite the city of Hannibal, in the state of Missouri, with the right to extend a branch road from any point on the main line, by way of Princeton, to some point on the Illinois river, in the county of Bureau or Putnam, and with the right to either run the main line of said railroad to or through the city of Peoria, or to extend a branch road from any point on the main line to said city of Peoria, and to determine and locate the line of said railroad, upon such route and line between said points as may be deemed proper and advantageous by said company. Said company are hereby authorized and empowered to commence the construction of any portion of said railroad, at such place and places along the line of the route to be selected by said company, as it may be deemed expedient and advantageous so to construct the same by said company; and the said company are further authorized to use and operate said railroad, and shall have power and authority to regulate the time and manner in which goods, effects and persons shall be transported on the same, and to prescribe the manner in which said railroad shall be used, and the rate of toll for the transportation of persons or property thereon, and for the storage of merchandise and other property under their charge, and shall have power to provide all necessary stock and materials for the operation of said road, and shall have power to erect and maintain all necessary depots,

Organization.

Line of road.

Business and operations.

stations, shops and other buildings and machinery, for the accommodation, management and operation of said road.

Stock subscrip-
tion.

§ 4. Said directors shall, as soon after the passage of this act as convenient, open books for the purpose of receiving subscriptions to the capital stock of said company, at such places along the line of said road, and elsewhere as said directors shall determine, under the direction of such agents as said directors shall appoint, and said books shall be kept open from time to time until the amount of said capital stock shall be subscribed, or until said directors shall determine to close the same.

Conferred
rights defined.

§ 5. All and singular the powers, rights, privileges, provisions, rules and regulations conferred, expressed and contained in sections five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13) and fourteen (14), of an act entitled "An act to incorporate the Mississippi Railroad Company," approved February 15th, 1865, shall be and are hereby conferred upon, and made applicable to the company hereby created, in as full and complete a manner as if said sections were inserted at length in this act: *Provided*, that the words "either in this state or the state of Wisconsin," which occur in two places in the said tenth section of said act, shall not be deemed or taken as any part of this act, and said tenth section shall, for the purposes of this act, be read and construed the same as if said words were erased therefrom.

Corporation
subscription.

§ 6. The several counties in which any part of said road may hereafter be located, and the several townships in said counties which have adopted or may hereafter adopt township organization, and the cities and incorporated towns in said counties, are hereby authorized to subscribe and take stock in said Dixon, Peoria and Hannibal Railroad Company. Elections may be held in any such county, township, city or incorporated town, upon the question whether such county, township, city or town shall subscribe for any specified amount of the stock of said company, not exceeding one hundred thousand dollars for each county, and not exceeding thirty-five thousand dollars for each of such townships, cities or towns; and elections may be held in any such county, township, city or town, as often as a petition shall be presented as hereinafter specified, until such county, township, city or town shall have subscribed for the full amount of stock authorized by this act. Whenever a petition shall be presented to the board of supervisors, signed by fifty legal voters of any such county, setting forth the amount of stock proposed to be taken by any such county, and specifying the time for holding such an election, it shall be the duty of the county clerk of such county, to give twenty days' notice of the time of holding such election, which shall be the same time as that specified in such petition, and whenever a petition shall be presented to the

supervisors of any such township, or to the corporate authorities of any such city or town, signed by twenty-five legal voters of any such township, city or town, setting forth the amount of stock proposed to be taken by any such township, city or town, and specifying the time for holding such an election, it shall be the duty of the clerk of every such township, city or town, to give twenty days' notice of the time of holding such an election in such township, city or town, which shall be the same as that specified in such petition, which said notice or notices shall be given in the same manner, and such election or elections shall be conducted in the same mode and at the places, provided for holding general elections in such counties, townships, cities and towns; at which election or elections the qualified voters of the respective counties, townships, cities and towns shall vote "For subscription," or "Against subscription;" and if a majority of the votes actually cast at any such election shall be "For subscription," it shall be the duty of the board of supervisors of every such county, the supervisor and clerk of any such township and the corporate authorities of such city or town, to subscribe without unnecessary delay, upon request of said company, for stock in said company, to the amount mentioned in such petition, and to issue and deliver to said company the same amount as the stock so subscribed of the bonds of such county, township, city or town, as the case may be, payable at any time specified, not exceeding twenty years from their date, with interest, at a rate not exceeding ten per cent. per annum, payable annually, which said bonds and the interest accruing thereon, shall be made payable at such place, within the United States, as said company may request.

§ 7. It shall be the duty of the respective authorities of the several counties, townships, cities and towns, which may vote such subscription, and they are hereby required to levy and collect a sufficient special tax on all the taxable property, both real and personal, in such counties, townships, cities and towns, not exceeding three dollars on every one hundred dollars' worth of taxable property, to pay the interest annually accruing on such bonds, and to liquidate the principal of said bonds, within the time specified in the same for their payment. Said tax shall be levied on the assessments made by the assessors of their respective counties, townships, cities and towns, as provided by the revenue laws of this state, for assessing property, and shall be extended on the collector's books of such county, township, city or town, as a special road tax, and collected by the respective collectors of such counties, townships, cities and towns, at the same time, and in the same manner, as provided by law for collecting state and county tax, which said tax shall be paid by the respective collectors to the county treasurer of the county in which the tax is col-

Corporation
taxes.

lected, deducting therefrom a commission of two per centum only for collecting. And the said county treasurers shall be respectively liable on their bonds for the faithful application of said tax to the payment of the interest and principal of the bonds for which said tax was levied and collected to pay, and shall receive therefor, in full compensation, a commission of two per centum only, for paying out said tax. The corporate authorities of the respective counties and townships, shall certify to the county clerk of the proper county, the rate per cent. to be levied for each year, for such special tax, and the said county clerks shall extend on the collector's books for such county or townships, as a special railroad tax, at the rate so certified for each year in the same manner and on all the property on which state and county tax is extended, and the respective authorities of such cities and towns, shall levy and collect such special railroad tax, in the same manner as other tax is levied and collected in and for such towns: *Provided*, that in case the said authorities for any such county or township, shall fail to certify to such clerk the rate per cent. to be levied for any year, before the time required by law for said clerk to extend state and county tax, then the said clerk shall extend such tax for such year, at the rate of one per centum.

Fences and
bridges.

§ 8. Said company shall have the right to acquire, by purchase or lease, the chartered rights, powers and privileges of any person or persons, corporation or corporations, to keep, operate and maintain any ferry or ferries across the Mississippi river, now operated and run, or hereafter to be operated and run, in connection with said railroad, and to build and erect a bridge across said Mississippi river at such point as shall be deemed most eligible by said company for that purpose; and upon acquiring such rights, by purchase or lease, or upon the building and erection of such bridge, said railroad company shall have the right to keep and operate such ferry or ferries, and to use and maintain such bridge, in connection with such railroad.

Forfeiture of
franchises.

§ 9. In case said company shall, within ten years from the passage of this act, complete and put in operation any twenty-five miles or upwards of said railroad so authorized to be built, but shall for any cause fail to complete the whole of said line within that time, such failure shall not operate as a forfeiture of the franchises of said company, so far as the same may affect or relate to such portion of said road as shall have been so completed and put in operation.

Election
directors,

of

§ 10. There shall be an annual meeting of the stockholders of said company, for the election of directors, the time and place for holding which shall be fixed by the by-laws of said company; and at all meetings each stockholder shall be entitled to vote in person, or by proxy duly appointed, one vote for each share he, she or they may hold and own *bona fide* in said corporation. The immediate government

Manner of
voting for.

and direction of the affairs of said corporation shall be vested in the board of directors, which shall consist of not less than seven nor more than thirteen members. After the election of said board, as aforesaid, such directors shall hold their offices for one year after their election, and until their successors shall be duly elected and qualified. A majority of the board of directors shall constitute a quorum for the transaction of business, and shall elect one of their number to be the president of such corporation, they shall also elect a secretary, and treasurer, and may choose such other officers or agents as they may think proper.

§ 11. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 5, 1867.

Number of.
Term of office.
Quorum.
Officers, etc.

AN ACT to incorporate the Chester and Centralia Railroad Company. In force March 5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Joseph B. Holmes, Harmon C. Cole, Joseph Beaver, John Hengley, Salem Goodner, James Sawyer, Amos Watts, James J. Borders, J. H. Allmeyer, John W. Allen, James M. Ralls, William Hartzell, James H. Watt, J. Perry Johnson, Alexander Dunn, Alfred P. Crosby, James C. Cooper, A. D. Hay, S. M. Warner, George A. Sanders, and their associates and successors and assigns, are hereby created a body corporate and politic, under the name and by the style of "The Chester and Centralia Railroad Company," with perpetual succession; 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 all courts of law and equity in this state or elsewhere; to make, have and use a common seal, and the same to 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. And the said company are hereby authorized and empowered to locate, construct and finally complete and put in operation a railroad from the city of Chester, in Randolph county, by way of Nashville, in Washington county, to the city of Centralia, in Marion county; and, for that purpose, the company are authorized and empowered, upon the most eligible route, to lay out their railroad for a single or double track, to any width not exceeding one hundred feet, through the whole length; and, for the purpose of constructing embankments, may

Corporators.
Name and style
Powers, etc.
Line of road.

take as much land as may be necessary for the proper construction and security of said railroad.

Capital stock.

§ 2. The capital stock of said company shall be one million five hundred thousand dollars, and may be increased to three millions of dollars, to be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued, certified, transferred and registered in such manner and at such place as may be ordered and provided by the board of directors. The immediate government and direction of the affairs of said company shall be vested in seven directors, who shall be chosen by the stockholders of the company, in the manner hereinafter provided for, who shall hold their office for one year and until their successors are duly elected and qualified—a majority of whom shall constitute a quorum to do business. The board of directors shall elect one of their number to be president of the company; and said board of directors shall have power to appoint all necessary clerks, secretaries and other officers necessary for the transaction of the business of said corporation, and to require any appointee to give bond and security.

Directors.

President.

Examinations and surveys.

§ 3. The said company are 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 city of Chester and the city of Centralia, aforesaid, as shall be necessary to determine the best route for the proper line or course whereon to construct their said railroad; and it shall be lawful for said company to enter upon and take possession of and use any and all such lands and real estate as may be necessary for the construction and maintenance of their said railroad: *Provided*, that all lands and real estate entered upon and taken possession of and used by said corporation for that purpose and accommodation of said railroad, or upon which the site for said railroad shall have been located or determined by the said corporation, shall be paid for by said company in damages, if any be sustained by the owner or owners thereof by the use of the same for the purposes of said railroad; and all lands entered upon and taken for the use of said company, which are not donated to said corporation, shall be paid for by said corporation at such price as may be mutually agreed upon by the said corporation and the owner or owners of said land; and in case of no agreement therefor the price shall be estimated, fixed and recovered in accordance with an act to amend the law condemning right of way for purposes of internal improvements, approved June 22, 1852.

Possession of real estate, etc.

Proviso.

Property in fee simple.

§ 4. That the right of way and real estate purchased for the right of way and for other purposes by said company, whether by mutual agreement or otherwise, or which shall become the property of the company by operation of law, as in this act provided, shall, upon the payment of the

amount of money belonging to the owner or owners of said lands, as a compensation for the same, or upon tendering the money therefor, become the property of said company, in fee simple, unless otherwise agreed between the said company and the seller thereof.

§ 5. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of them, are hereby authorized to open or cause to be opened subscription books for the stock of said company at such times and places as they may think proper, and also to appoint one or more agents to open such books and to receive such subscriptions. The said commissioners or their agents shall require such subscribers to pay five dollars on each share subscribed at the time of subscribing; and whenever a hundred thousand dollars shall be subscribed, the said commissioners, or a majority of them, shall call a meeting of the stockholders, by giving four days' notice in some newspapers printed in the counties of Randolph, Washington and Marion; and at such meeting it shall be lawful for the stockholders to elect the directors of said company and transact any other business that may be deemed necessary; and when the directors are chosen the said commissioners shall deliver said subscription books, with all moneys received by them or by any agent appointed by them as commissioners, to said directors. No person shall be a director unless he shall be a *bona fide* stockholder in said company.

§ 6. The time of holding the annual meetings of said company for the election of directors and for the transaction of any other business by the stockholders shall be fixed and determined by the by-laws of said company; and at all such meetings the stockholders shall each be entitled to one vote for each share of stock he, she or they may own and hold, *bona fide*, in said company; and such vote may be given in person or by proxy.

§ 7. In case that it should at any time appear that an election of directors should not be made on the day which in pursuance of this act or the by-laws of said company it ought to be made, such failure to elect shall in nowise affect the right of said company, but such election may be held at any other time which may be directed by the directors.

§ 8. The directors after the same is organized, shall have power to open books at such time and places as they may deem proper for the subscription of stock, until the whole amount of the capital stock shall be subscribed or such parts and amounts thereof as they shall desire to have subscribed; and said directors are hereby authorized, and empowered to take subscriptions to their said capital stock, on such terms and in such amounts as they may deem for the interest of said company and as they may prescribe by their by-laws and regulations, from any other railroad com-

Commissioners

Stock subscrip-
tion.Meetings of
stockholders.

Elections.

Delivery of
books, etc.Annual meet-
ings.Vote of stock-
holders.Failure to elect
directors.Terms and
amounts of
subscription.

By-laws, etc.

Proviso.

pany or corporation, and from any county, city, village or town making the same: *Provided*, said subscriptions shall be made, in every respect, subject to the provisions of an act supplemental to an act entitled "An act to provide for a general system of railroad incorporation," approved November 6, 1849: *And, provided further*, said company shall be authorized to take or receive subscriptions to their capital stock, payable in real estate; and all owners of real estate may pay for their subscriptions to the capital stock of said company, execute their notes with mortgage upon the whole or any part of their real estate for the security of said notes, at a rate of interest to be agreed upon by said company and the said owners of said real estate, not exceeding ten per cent. per annum.

Payment of stock.

§ 9. That it shall be lawful for the directors to require payment of the sum subscribed to the capital stock at such times and in such proportions and on such conditions as they shall deem proper, under penalty of the forfeiture of all previous payments thereon, and shall give notice of the payments thus required and of the time when and the place or places where the same are to be made, at least thirty days previous to the time of the payment of the same in public newspapers printed in Chester, Nashville and Centralia.

Business and operations.

§ 10. That said company may take and transport upon said railroad any person or persons, merchandise, or other property, by the force and power of steam or animals, or other proper and competent force and power; and may fix, establish, take and receive such rates of toll for all passengers and property transported on the same as the 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 all the provisions of this act and for the transfer and assignment of its stock.

Crossings, etc.

§ 11. That whenever it shall be necessary for the construction of said railroad to intersect or cross a track of any other railroad or any stream of water or water course or road or highway on the route of said road it shall be lawful for the company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, road or highway thus intersected or crossed to its former state or in a sufficient manner not materially to impair its usefulness.

Connections.

§ 12. The said company shall have power and it is hereby made lawful for said company to unite its railroad with any other railroad or railroads now constructed or being constructed or which may hereafter be constructed which may cross or intersect the same, or be built on either end thereof, upon such terms as may be mutually agreed upon between the said company and any other company so intersecting or

connecting, and, for that purpose, full power is hereby given to said company to make, execute and confirm such contracts with any other company or companies as shall secure the objects of such connections.

§ 13. In case of the death, resignation or removal of the president, vice president or any director at any time between the annual elections such vacancies may be filled for the remainder of the year, whenever the same may happen, by the remaining directors or a majority of them; 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 functions as the by-laws of said corporation may prescribe.

Vacancies.

President pro tem.

§ 14. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for completing and furnishing or operating their said railroad and to issue and dispose of their bonds in denominations of not less than five hundred dollars, bearing interest at a rate not exceeding ten per cent. per annum, for any amount so borrowed, and to mortgage their corporate property and franchises or convey the same by deed of trust, to secure the payment of any debts contracted by said company for the purpose aforesaid; and the directors may confer upon any holder of bonds issued for money so borrowed, as aforesaid, the right to convert the principal due and owing thereon into stocks of said company at any time not exceeding ten years from the date of said bond, under such regulations as the directors of said company may see fit to adopt; and all sales of such bonds that may be made at less than their par value shall be good and valid and binding upon such corporations as if said bonds had been sold for the full amount thereof.

Indebtedness.

§ 15. Every or any person who shall willfully injure or obstruct the said road, or any part of the appendages thereto, shall be deemed guilty of a misdemeanor and shall forfeit to the use of the said company a sum three-fold the amount of the damages occasioned by such injury or obstruction, to be recovered in an action of debt, in the name of said company, with costs of suit, before any justice of the peace or before any court of record in this state.

Penalties, etc;

§ 16. The said company shall be allowed five years from the passage of this act for the commencement of the construction of said railroad and fifteen years thereafter for the completion of the same.

Limited time of construction and complet'n

§ 17. This act shall be deemed and taken as a public act, and shall be construed beneficially for all purposes herein specified or intended, and shall be in force from and after its passage.

Construction of act.

APPROVED March 5, 1867.

In force March 5, 1867. AN ACT to provide for a South-eastern Extension of the Pana, Springfield and North-western Railroad, and to incorporate the South-eastern Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That D. B. Alexander, L. R. McMurry, J. M. Mette and T. D. Craddock, of the county of Effingham; Thomas Martin, Samuel B. Todd, D. B. Brown, A. G. Caldwell and Joseph Picquet, of Jasper county; Aaron Shaw, Gilbert T. Nigh and Peter Smith, of Lawrence county; Stephen Riggs, of Shelby county; Grove Lawrence, D. D. Shumway and Charles Manners, of Christian county; Alexander Starne, Jesse K. Dubois and John W. Priest, of Sangamon county, Illinois, and their associates and successors, are hereby created a body politic and corporate, under the name and style of "The South-eastern Railroad Company," with perpetual succession; and, under this name and style, shall be capable of suing and being sued, pleading and being impleaded, defending and being defended against, in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons; may make and use a common seal, and alter or renew the same at pleasure; and, by their said corporate name and style, shall be capable in law of contracting and being contracted with; shall be and are hereby invested with all the powers, privileges, immunities and franchises of receiving and disposing of real and personal estate which may be needful to carry into effect fully, the purposes and objects of this act; and said company are hereby authorized and empowered to locate, construct and complete a railroad, commencing at or near Pana, in Christian county; thence to Effingham, in Effingham county; thence to or near Newton and New Liberty, in Jasper county; and thence to the Ohio and Mississippi Railroad, at some convenient point in Lawrence county, Illinois, to be determined by said company, with one or more tracks or lines of rails. Said company shall commence the construction of said road in good faith within five years and shall complete the same within ten years.

§ 2. The capital stock of said company shall consist of two millions of dollars, and may be increased by said company to fifteen millions, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in eleven directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office 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

number to be president of the company, and shall have power to appoint or elect such other officers as they shall deem proper.

§ 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a railroad as aforesaid, with all necessary sidetracks, turnouts, switches, depots, stations, and all necessary buildings, erections and structures: and for this purpose, they are hereby vested with all the powers necessary for the purchasing, taking, holding and selling and transferring property, real and personal, as natural persons, as the board of directors may deem necessary to carry out the objects of this act.

Business powers and franchises.

§ 4. For the purpose of acquiring the rights of way for the construction of said road, sidetracks and turnouts, and grounds for depots, stations and other buildings, erections and structures, and for the purpose of obtaining stone, gravel and other materials for building, ballasting or repairing the same, and of a right of way to said material, the said company be and they are hereby authorized and empowered to take, condemn and use the same, under the provisions of an act to amend the law condemning the right of way for the purposes of internal improvement, approved June 22, 1852.

Possession of lands, etc.

§ 5. Said company shall have power to unite or connect its railroad with any other railroad constructed or which may hereafter be constructed in this state, upon such terms as may be mutually agreed upon between the companies so uniting or connecting; and, for that purpose, full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of such connection; and the said corporation may furthermore lease or purchase, upon such terms as may be agreed upon, and any other road or parts of road, either wholly or partially constructed, which may constitute or be adopted as part of their main line; and, by such lease or purchase, they shall acquire and become vested with all the rights and franchises pertaining to such road or part of road, so leased or purchased, in the right of way, construction, maintenance and working thereof.

Connections.

§ 6. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing, operating and maintaining their said railroad; and to issue and dispose of the bonds at such rate of interest and of such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises, or convey the same by deed of trust to secure the payment of any debt contracted by said company for the purpose aforesaid; and the directors of said company may confer on any bondholder of any bonds issued for money borrowed, as aforesaid, the right to convert the principal due or owing

Indebtedness.

thereon into stock of said company, at any time, and may, further authorize the holder of any such bonds to vote at any and all elections for the election of officers of said corporation, under such regulations as the directors of said company may see fit to adopt; and any such bonds that may be sold or disposed of at a less rate than par shall be as valid and binding upon said company as if the same were sold for the par value thereof.

Officers.

Vacancy.

§ 7. All the corporate powers of said company shall be vested in and exercised by a board of directors to consist of eleven members, and such officers, agents and servants as they shall appoint. Vacancies in the board of directors may be filled by a vote of two-thirds of the directors remaining—such appointees to continue in office until the next annual election of directors; which said annual election shall be held at such time and place as may be designated and fixed by the by-laws of said company—thirty days' printed notice shall be given in three newspapers having circulation along the line of said railroad.

Commissioners

Stock subscrip-
tion.

Organization.

Delivery of
books, funds,
etc.

Payments.

Proviso.

Proviso.

§ 8. The persons named in the first section of this act are hereby appointed commissioners, who or a majority of them, after a meeting duly called by thirty days' notice thereof in three newspapers published on the line of said railroad, shall meet and proceed to open books, and receive subscriptions to the capital stock of said company. Ten dollars for each share subscribed shall be paid on subscribing; and whenever fifty thousand dollars shall have been subscribed, the subscribers may organize said corporation and proceed to the election of directors; and when the directors of said company are chosen, the said commissioners shall deliver the said subscription books, with all sums of money received by them as commissioners, to said directors. No person shall be a director who shall not be a stockholder; and each stockholder shall be entitled to one vote for each share of stock he shall hold upon which all calls have been paid. The directors of said company, after the same is organized, shall have power to open books to fill up the capital stock of said company, or any part thereof, at such time as they may deem expedient; and all installments required to be paid on the stock originally subscribed, or what may be taken to increase said capital shall be paid at such time and in such amounts as said directors may prescribe: *Provided*, that subscriptions of stocks may be made to said company in lands, at their cash value at the time of subscription, as may be agreed upon between the subscriber and the directors of said company—such subscriptions to be designated on the books as a land subscription, and to be considered as paid by a conveyance of such land to the company: *And provided, further*, that said corporation shall dispose of all lands to which it may acquire title or fee other than such real estate as it may acquire for the use and

operations of said road, as in this act provided, within ten years after acquisition thereof. Whenever it shall be necessary for the construction of said railroad to intersect or cross the track of any other railroad or stream of water or water course or road or highway, on the route of said road, it shall be lawful for the company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, road or highway intersected or crossed to its former state or in sufficient manner not materially to impair its usefulness.

Crossings.

Proviso.

§ 9. That the right of way and the real estate for the right of way and for the purpose aforesaid, purchased or acquired by said company, whether by agreement or otherwise, or which shall become the property of the company by operation of law, as in the act provided, shall, upon the payment of the money agreed or adjudged to be paid to the owner or owners of said land as compensation for the same, become the property of said company in fee simple.

Property in fee simple.

§ 10. That all the rights, privileges and advantages, with the limitations and restrictions conferred upon the Pana, Springfield and North Western Railroad company; also, the rights, privileges and advantages, with their limitations, conferred by an act entitled "An act to provide for a general system of railroad incorporations," approved November 5th, 1849, and the several acts amendatory thereof, except as hereinafter qualified, are hereby conferred upon the South Eastern Railroad Company; and cities, towns, townships and counties shall be entitled to subscribe for stock in said company in like manner and with like effect as is provided in the said act referred to and acts amendatory thereof: *Provided, also*, that the county courts of the counties through which the line of said railroad runs may, with or without submitting the question to the people, subscribe for stock in said company, payable in lands, to be taken upon such terms and conditions and be conveyed in such manner as the said county courts and said company may agree upon: *And provided, also*, that such powers to subscribe for stock on the part of said counties, payable in lands, shall not be restricted in amount or value to one hundred thousand dollars, nor shall such right of subscription in lands in any manner impair the power of said counties to make a money subscription of one hundred thousand dollars to said company, under the provisions of said act to provide for a general system of railroad incorporations and act amendatory thereof: *Provided*, that a land subscription shall not in any way impair the right or derogate from the power to make a money subscription.

Conferred rights, etc.

Corporation subscription.

Proviso.

Proviso.

§ 11. To further aid in the construction of said road by said company any town under township organization in any of the counties through which the line of said railroad runs, may

Amount of corporation subscription limited.

subscribe to the capital stock of said company, in any sum not exceeding fifty thousand dollars.

Subscription to
be determined
by vote.

§ 12. No such subscription shall be made until the question has been submitted to the legal voters of the town in which the subscription is proposed to be made; and the clerk of each of the said towns is hereby required, upon the presentation of a petition, signed by at least ten citizens, who are legal voters and tax payers of the town for which he is clerk—in which petition the amount proposed to be subscribed shall be stated—to post up notices in at least three of the most public places in said town, which notices shall be posted not less than ten days before the day of holding such election, notifying the legal voters of said town to meet at the usual places of voting, or some other convenient place in said town, for the purpose of voting for or against such subscriptions; but no such vote shall be taken unless at a regular election for town and county officers.

Duties of super-
visors.

§ 13. If it shall appear that a majority of all the voters have voted "for subscription" it shall be the duty of the supervisor of each of the said towns that shall vote for such subscriptions to subscribe for the capital stock of said railroad company, in the name of the town for which he is supervisor the amount so voted to be subscribed, and to receive from said company the proper certificates therefor; he shall also execute to said company, in the name of said town, bonds bearing interest not to exceed ten per cent. per annum, which bonds shall run for a term of not less than ten nor more than twenty years; and the interest on the same shall be made payable annually; and which bonds shall be attested by the clerk in the town in whose name the bonds are issued; and it shall be his duty to make a record of the issuing of said bonds. Said bonds shall be delivered to the president or secretary of said railroad company, for the use of said company.

Clerk's duties.

§ 14. It shall be the duty of the clerk of each of said towns in which a vote was given for subscription, within ten days thereafter, to transmit to the county clerks of their respective counties a transcript or statement of the vote given and the amount voted to be subscribed and the rate of interest named in the bonds.

Taxation.

§ 15. It shall be the duty of the county clerks, annually thereafter, to compute and assess upon all taxable property returned by the assessor of each of said towns, which have voted to subscribe a sufficient sum to pay the interest on all bonds issued by the respective towns, which tax shall be extended upon the collector's books as other taxes are, and shall be collected in the same manner that other taxes are collected, and, when collected, shall be paid into the county treasuries as county taxes are paid.

§ 16. It shall be the duty of the treasurers of said counties to pay out on the presentation to them of the bonds issued by any town, as aforesaid, the amount due upon each of said bonds as interest out of any money in their hands for that purpose and indorse the payment upon said bonds, or take such vouchers as they may prescribe. They shall also keep an account with each town of all money received by them, and paid on account of said towns, which account shall, at all times, be open to inspection by all persons wishing to examine the same.

Treasurers' duties.

§ 17. At elections for officers and on all questions voted upon by the stockholders of said company the supervisors of the bonds who may subscribe to the stock of said company shall represent and cast the vote which said stock is entitled to.

Elections.

§ 18. The road to be constructed by said company shall be divided into three divisions. That portion of the road between Pana and Effingham shall be designated the first division. That portion between Effingham and Newton shall be designated the second division; and that portion between Newton and the intersection of the Ohio and Mississippi railroad shall be designated the third division. And subscribers, either individual or corporate, to the stock of said company, may designate upon which division of said road such subscription shall be applied. And said corporation shall faithfully apply such subscriptions to the division thus designated; but any surplus of stock so subscribed for the benefit of any one section of said road remaining after the construction of said section may be applied by said company in aid of the construction of any other section.

Division of road

First.

Second.

Third.

Designated subscriptions.

Surplus stock.

§ 19. Any railroad company is hereby authorized and empowered to subscribe to the capital stock of this company any sum not exceeding the amount of its capital stock, and shall have the same rights, privileges and powers as other stockholders in this company, and shall be subject to the same conditions, restrictions and limitations as other stockholders therein.

Railroad subscriptions.

§ 20. No stockholder, whether corporate or natural persons, shall be otherwise liable upon his, her or their subscriptions of stock, than for the amount of their respective subscriptions of stock to said company, and according to the calls of the directors as hereinbefore provided.

Stockholders' liabilities.

§ 21. This act shall be deemed a public act, and shall take effect from and after its passage.

APPROVED March 5, 1867.

In force March 9, 1867. AN ACT to amend an act entitled "An act to incorporate the Monticello Railroad Company, and the act amendatory thereof," approved February 16, 1865.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Monticello Railroad Company shall have power and is hereby authorized to lease its railroad, franchises, real and personal property, or any part or portion of its railroad, with the rights and franchises appertaining thereto, to any company or companies which have been or may hereafter be incorporated, or to any party or parties, upon such terms as may be mutually agreed upon between the contracting parties.

Lease of franchises, etc. Connections. Said company shall have power to unite its railroad, in whole or in part, with any other railroad now constructed or which may be hereafter constructed, coming in contact therewith, and to grant any company or other parties the right to construct and use any portion of said railroad.

Rights of construction. Said company is authorized and empowered to construct, maintain and operate any portion of its line of road, without being compelled to construct and operate the whole line thereof.

Stock subscription. § 2. The several counties through which said road may run may take stock in said company, in any amount, not exceeding three hundred thousand dollars each; and the several townships, cities and incorporated towns in such counties, which have taken or may hereafter take stock in said company, may take stock in any amount, not exceeding one hundred thousand dollars each, to be taken and subscribed in the manner provided in said amendatory act, approved February 16, 1865; and it shall be and is hereby made the duty of the judge and clerks of any election held for the purpose of voting for or against subscription to the capital stock of said company, to make a certificate of the result of such election and file the same in the office of the clerk of the county in which such election may be held, within ten days from the date of such election; which said certificate shall be evidence of the facts therein stated: *Provided*, that a failure to file the same, as above directed, shall not invalidate such election.

Manner of subscription. Question of subscription. Certificate of result of election. Proviso.

Bonds. § 3. Upon the issuing of the bonds of any county, township, city or incorporated town, for stock in said company, as provided in said amendatory act, approved February 16, 1865, it shall be the duty of the authorities issuing such bonds, to file with the county clerk of the proper county a statement of such fact, stating the amount, date, rate of interest and time of maturity of such bonds; and thereupon the tax to pay the principal and interest of said bonds shall be levied and collected as provided in said amendatory act; but no such tax shall exceed, in any one year, three per

Date of. Rate of interest. How levied and collected.

cent. upon the taxable property of said county, township, city or incorporated town.

§ 4. Said company shall have power to borrow, from Indebtedness. time to time, such sums of money as may be necessary for the purposes of said company for the construction and operation of said road, at any rate of interest not exceeding ten per cent. per annum, and payable at such time or times and place or places as may by said company be deemed best, and to mortgage or convey by deed of trust its corporate property, real or personal, and its franchises or any part thereof, to secure the payment of any money so borrowed, or to secure the payment of any other indebtedness of said company. Said company is authorized to issue and dispose of its bonds in denominations of not less than fifty dollars, for any amount of money so borrowed by said company, or for any other indebtedness of said company, and secure the payment thereof by mortgage or deed of trust, as aforesaid; and any such bonds as may be sold or disposed of at a less rate than par shall be as valid and binding upon said company as if the same were sold for the par value thereof. The directors of said company may confer upon the holder of any bond issued, as aforesaid, the right to convert the same into stock of said company, under such regulations as said directors may prescribe.

§ 5. Said company shall have power and is hereby Line of road. authorized, to locate, construct, operate and maintain its said road from the city of Champaign, in Champaign county, to a point, to be by it selected, in the county of Vermilion or Iroquois, upon the state line, between the states of Illinois and Indiana. And all the provisions of the original charter, incorporating said company, and the act amendatory thereof, approved February 16, 1865, and all the provisions of this act, shall apply to said company in its extension of said railroad as aforesaid.

§ 6. This act shall be deemed a public act, and take effect and be in force from and after its passage.

APPROVED March 9, 1867.

AN ACT to amend "An act to incorporate the Ottawa and Oswego Fox In force March
River Valley Railroad Company," approved June 21, 1852. 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Termination of
charter of said company be and is hereby so amended as to road. fully authorize and empower said company to terminate the said road at any point south on the Illinois Central Railroad or the Chicago, Alton and St. Louis Railroad, and shall

Powers, etc. have all the rights and powers in relation to such extension as are now conferred by law on said company; and all acts or parts of acts in conflict with this act are hereby repealed.

§ 2. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 8, 1867.

In force March 9, 1867. AN ACT to amend an act entitled "An act to reduce into one act the general acts incorporating and relating to the Warsaw and Rockford Railroad Company," and to amend the same.

Subscriptions. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That,* hereafter, it shall be lawful for any person or persons, or body corporate, to make subscription to the capital stock of said company, upon such conditions as the subscribers shall deem best; and in all cases where subscription shall be made to said stock, any condition attached to said subscription to be performed by said company before the payment of said subscription, or where said subscription shall be made dependent upon some act or acts to be performed by said company, such condition so attached to said subscription shall be taken and deemed a condition precedent, without the performance of which said company shall not be entitled to collect any part of said subscription so subscribed as aforesaid upon condition.

Payment.

Lawful and valid.

§ 2. Any subscriptions made with conditions attached, as aforesaid, shall be taken and deemed lawful and valid, the subscription and condition thereto attached to be construed together, to be fully enforced as against both company and subscriber, anything in said charter to the contrary notwithstanding.

§ 3. This act shall be in force from and after its passage.

APPROVED March 9, 1867.

In force March 8, 1867. AN ACT to incorporate the Carthage and Burlington Railroad Company, and authorize certain towns to take stock and levy a tax to pay the same.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Henry F. Black, John M. Finch, George Edmunds, jr., William A. Patterson, Charles G. Clark, Wesley H. Minore, Boyd

Bradue, John J. S. Wilson, and E. A. Chapin, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name and style of "The Carthage and Burlington Railroad Company," and, by that name and style, shall have perpetual succession; shall be capable of contracting and being contracted with, suing and being sued in all courts and places; may take and hold real and personal property, by gift, devise, purchase, condemnation or otherwise, necessary to the location, construction and operation of a railroad, with single or double track, as herein authorized; and may mortgage, lease or sell the same, in the discretion of said company; may have a common seal, and alter the same at pleasure; and exercise all the powers, rights, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act; may borrow money, and mortgage their franchises and property to secure the same.

Name and style

Corporate powers.

§ 2. Said company may locate, construct, maintain and operate a railroad, with one or more tracks, from Carthage, in the county of Hancock, to East Burlington, in the county of Henderson, in the state of Illinois, through Dallas City, by such route as said company shall determine; and may construct, maintain and operate a branch of said railroad in Appanoose, in said county of Hancock, by such route as said company shall locate and determine, the terminus of said road at East Burlington and of said branch at Appanoose, being on the Mississippi river; and may connect with any railroad running or to run to either of the places herein named, or which shall be crossed by said railroad; and in the location, construction, maintenance and operation of said railroad, and in the location, construction, maintenance and use of depots, stations, switches, side-tracks, tanks, engine houses, machine shops, turn-tables and other grounds, buildings, machinery, or things necessary to the location or relocation, construction, maintenance and operation thereof, may take one hundred feet wide, the whole length of said road and branch, and such other ground as may be necessary for depots, side-tracks, shops and other appurtenances of said road; and if said company, for any reason, are unable to agree with the owners for such ground, or for gravel, sand, earth or other material for the use of said railroad, or which may be necessary in constructing the same, said company may proceed to condemn the same, by virtue of any public law of this state; and for the purpose of surveys or location of said road, branch and appendages, may enter, by its agents and servants, upon the land of any person or corporation, and may take and condemn the same to the use of said company, by virtue of any law of this state, and may, in the same man-

Survey and construction.

Line of road.

Connections, etc.

Possession of lands, etc.

Condemned lands.

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| May take unoccupied portion of Warsaw and Rockford R.R. | ner, take and condemn any unoccupied part of the Warsaw and Rockford Railroad grade the same as other property. |
| Capital stock. | § 3. The capital stock of said company shall be one million of dollars, to be divided into shares of one hundred dollars each, which shall be personal property, and transferable on the books of said company only. Said company |
| Organization. | may fully organize and commence the construction of said road whenever fifty thousand dollars shall be subscribed and five per cent. thereof paid in. Said company may |
| Payment of stock. | make such calls for payment of stock as they shall deem advisable, and collect the same, after giving thirty days' notice thereof, or may sell the share for non-payment of any call, at the discretion of the directors of said company. The |
| Stock subscription. | incorporators shall be commissioners to open books; and when fifty thousand dollars shall be subscribed and five per cent. thereof paid in, said commissioners shall call a meet- |
| Election of officers. | ing of stockholders, who shall elect seven of their number directors, one of whom shall be elected president, who shall hold their offices for one year, or until their successors are elected and qualified. At all elections of directors, and at all stockholders' meetings, each share of stock shall have one vote. |
| Directors. | § 4. The corporate powers of said company shall be exercised by said board of directors, and such other officers, agents and servants as said directors shall appoint or employ; and said directors may make such by-laws as shall not conflict with any law of this state. Vacancies in the |
| By-laws. | board of directors may be filled by a majority of said directors. Elections for directors shall be held annually at such times and in such manner as shall be provided by by-laws; and votes may be given in person or by proxy. |
| Manner of holding elections. | § 5. Said company may construct, purchase or receive, by gift or otherwise, for the use of said road, for the transportation of persons or property, or otherwise, all machinery, carriages or other things necessary or useful in the |
| Construction and purchase of machinery, etc. | construction, maintenance or operation of said railroad, and shall have power to charge such rates of passage and tariff of freights as they shall fix, subject, however, to any general law of this state establishing rates of passage or tariff of |
| Rates of passage | freights for railroads in this state: <i>Provided, however, if</i> any such general law establishing rates of passage or tariff of freights shall be held by the courts not binding upon the |
| Tariff of freight | railroads in this state now in existence, then such law shall not be binding upon this company, it being the intention to place this company on the same footing in relation thereto as other roads now in operation or existence. |
| Crossings, etc. | § 6. Said company may construct said road across the track of any other railroad, common road or water-course, doing no other damage thereto than is necessary; and may take possession of any highway, for the use of said railroad, |

but shall provide the public with a proper way in as good condition in lieu thereof.

§ 7. Said company shall annually make an exhibit of the condition of said company to the stockholders, as may be provided by laws, and make such dividends as shall be consistent with the interests of said company.

Annual exhibit of condition.

Dividends.

§ 8. Said company shall, in addition to the powers conferred by this act, have all the powers conferred upon the Great Western Railroad Company, the Quincy and Toledo Railroad Company, the Illinois and Southern Iowa Railroad Company, by virtue of any law of this state, and may connect and consolidate with either of said companies, or with the Toledo, Wabash and Western Railway Company, formed by the consolidation of said three companies with the Toledo and Wabash Railway Company, of Indiana; and may provide for the conversion of any bonds that may be issued by said company into the common stock of said company, upon such terms as shall be agreed between the bondholders and each company. Said company shall commence the construction of said road within three years, and complete the same within ten years from the passage of this act.

Conferred powers.

Connections with other roads.

Conversion of bonds.

Time of commencement and completion of road.

§ 9. The legal voters of the towns of Carthage, Prairie, Pilot Grove, Rock Creek, Durham, Dallas City, Pontoosac and Appanoose, in the county of Hancock, and state of Illinois, may, at any regular annual town meeting or election, to be held in such towns for the election of town or county officers, vote for or against subscribing to the stock of this company, by ballot, upon which shall be written or printed—"For subscription" or "Against subscription;" and if a majority of the votes polled at said town meeting or election shall be for subscription then the supervisor of said town shall be and is hereby authorized to subscribe to the stock of said company one-tenth of the assessed value of the taxable property of such town at the last assessment prior to such vote, no more or less, and may issue to said company the bonds of said town in any sums not exceeding one hundred dollars each, payable twenty years from date, with annual interest at ten per cent. per annum; but no such subscription shall be made by such supervisor until said railroad shall be graded, tied and bridged, so far as the same shall be located in said county of Hancock; by private subscription to said stock, and said railroad company is free from debt for the grading, tying and bridging thereof within said county: *Provided*, said bonds shall be taken by said railroad company at par, and used in procuring the iron and rolling stock for said road: *Provided, further*, that such vote shall not be taken unless thirty days' notice thereof be given, by the town clerk of such town, by posting notices thereof in three of the most public places in said town. Said clerk shall give such notice whenever twenty legal vo-

Corporation subscriptions.

Manner of voting for.

Supervisors to subscribe to stock.

Town bonds. When payable.

Time of subscription.

Proviso.

Proviso.

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| Certificates of subscription. | ters of said town shall request him, in writing, to give such notice, but not without. Whenever such subscription shall be made the supervisor shall certify the fact thereof to the county clerk of Hancock county, and such clerk shall extend on the tax books of said town a tax of one per cent., annually, on all the taxable property of said town until said bonds are paid. Said tax shall be collected as other town taxes, paid over to the supervisor of said town, and by him be applied, first, to the payment of interest on said bonds, and second, to the payment of said bonds in their numerical order. Said supervisor shall keep a book in which he shall keep a full record of the issue of said bonds, the payment of interest thereon, the payment of the bonds and cancellation thereof, and shall, annually, settle with the board of auditors of said town and cancel the bonds paid, by burning the same; shall give bond, in addition to the bond now required by law, payable to the people of the state of Illinois, for the use of said town, in the penal sum of double the amount of such tax, conditioned for the faithful performance of his duties under this act and the faithful application of said tax fund, with securities, to be approved by the town clerk of said town; and said bond shall be filed in the office of such town clerk. |
| Record of bonds | |
| Bond of supervisor. | |
| Security. | |
| Township subscription. | § 10. The legal voters of townships eight, nine and ten north, in ranges six and seven west of the fourth principal meridian, situated in Henderson county, Illinois, may, at any general election, vote for or against subscription to the capital stock of said Carthage and Burlington Railroad Company, by ballot, upon which shall be written or printed "For subscription" or "Against subscription." If a majority of the votes polled at said election shall be for subscription, then the county judge of Henderson county shall be and is hereby authorized to subscribe to the capital stock of the Carthage and Burlington Railroad Company a sum equal to one-tenth of the assessed value of the real and personal property of said several townships, as the same shall appear upon the assessment books thereof for said county of Henderson of the assessment next prior to said vote—no more nor less. And said county judge shall issue to said company bonds, by the name and description of the "railroad precincts of the county of Henderson," in any sum not exceeding one hundred dollars each, payable twenty years from date, with annual interest at the rate of ten per cent. per annum; but no such subscription shall be made by said county judge until said railroad shall be graded, tied and bridged, so far as the same shall be located in said county of Henderson, by private subscription to said stock and said road is free from debt for the grading, tying and bridging thereof within said county: <i>Provided</i> , said bonds shall be taken at par by said railroad company, and used for procuring the iron and rolling stock of said road: <i>Provided</i> , |
| Manner of voting for. | |
| Stock subscription. | |
| Bonds. | |
| Amount of—when payable—rate of interest. | |
| Time of subscription. | |
| Proviso. | |

further, that such vote shall not be taken unless thirty days' notice thereof be given by the county clerk of Henderson county, by posting notices thereof in three of the most public places in each of said townships. Said county clerk shall give such notice whenever fifty legal voters residing within said several townships shall request him, in writing, to give the same, but not without. Whenever such subscription shall be made said county judge shall certify the fact thereof to the county clerk of Henderson county, and such clerk shall extend on the tax books of said county a tax of one per cent. annually on all the taxable property of said several townships until said bonds shall be paid. Said tax shall be collected as other taxes in said county and paid over to the county treasurer of said county as a separate fund specially appropriated to the payment of said bonds. Said county treasurer shall apply the money so collected, first, to the payment of interest on said bonds, and second, to the payment of said bonds in their numerical order. Said county judge shall keep a record of the issue of said bonds in a well bound book, and shall deliver the same to the county treasurer of said county; and said county treasurer shall keep in said book a record of the payment of the interest and bonds paid and canceled; shall annually settle with the county court of said county of Henderson, and shall, in the presence of said court, cancel the bonds paid by burning the same. Said county treasurer and the collector of said county of Henderson shall be liable on their respective official bonds for the collection, paying over and disbursing of said tax fund. The bonds to be issued by the supervisor under the last section of this act shall be payable at the office of the county treasurer of Hancock county; and those to be issued by the county judge under this section at the office of the county treasurer of Henderson county, and shall each contain a condition that such bond may be paid and canceled at any anniversary of the making thereof, at the option of the makers, upon the supervisor or county judge, as the case may be, giving thirty days' notice of such intended payment: *Provided*, said bonds shall be paid in the order in which they are numbered; and if the holder of such bond shall neglect or refuse to receive such payment and surrender such bond such holder shall be forever barred from collecting interest on such bond thereafter.

Subscription certificate.

Tax.

How collected.

Application of funds.

Bonds — payment of interest on.

Liabilities.

Bonds — where payable.

Paid and canceled.

Proviso.

Division of county election precincts into pre-

§ 11. The county court of Henderson county are hereby required to so divide the county of Henderson into election precincts that the legal voters residing within said townships eight, nine and ten north, in ranges six and seven west, shall vote at one or more precincts, disconnected with any other part of said county—the range line between ranges five and six west forming the east line of said precinct or precincts and the north line of township ten

Denomination of. north forming the north line of said precinct or precincts; and said precincts shall be denominated "railroad precincts;" and said railroad precincts, by and through said county judge, are hereby empowered to subscribe to the stock of this company and execute the bonds aforesaid, under and by virtue of this act and in conformity with the provisions thereof.

May subscribe to stock. § 12. This act shall be deemed a public act, and shall take effect and be in force from and after its passage: *Provided*, said company shall not consolidate with any road, except a continuous line in connection with said road, and not without consent of three-fourths of the stockholders.

Act in force from passage. APPROVED March 8, 1867.

In force March 8, 1867. AN ACT to incorporate the Belvidere and Ottawa Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Mark Ramsey, William H. Gilman, Charles F. Witt, Ira Wilson, Luther W. Lawrence, Wesley W. Marsh, Aaron K. Stiles, Seth C. Hapgood, Robert Hampton, George H. Hill, Samuel P. Stilson, Dwight F. Cameron, Lorenzo Leland, Julius Avery and W. Bushnell, are hereby made and constituted a body politic and corporate, by the name and style of "The Belvidere and Ottawa Railroad Company," with perpetual succession; and, by that name and style, shall be capable and hereby are empowered and authorized in law, of taking, purchasing, holding, leasing, selling and conveying real and personal estate and property, so far as the same may be requisite and necessary for the purposes hereinafter mentioned; and, in their said corporate name, may sue and be sued, plead and be impleaded, defend and be defended in all courts and places; to have a common seal, which they may alter and renew at pleasure; to have a capital stock of fifteen hundred thousand dollars, to be divided into shares of one hundred dollars each; which said capital may be increased, from time to time, by a vote of a majority of the directors of the corporation, to any sum requisite for the completion and fulfillment of the objects and purposes of the corporation hereby created; and the said above named persons shall be and constitute the first board of directors, and are hereby vested with and may have and exercise all powers, rights, privileges and immunities which are or may be necessary to carry into effect and complete use and enjoy the purposes and objects of this act, as hereinafter set forth.

Corporators.

Name and style

Powers.

Capital stock.

Directors.

§ 2. Said directors shall organize the board as soon as practicable after the passage of this act, by electing one of their number president, and by appointing a secretary and treasurer; which organization shall be certified by said directors, or a majority of them; and such certificate shall be recorded in the record book of said company; and said record shall be sufficient evidence of such organization; and a certified copy thereof, under the seal of said corporation, shall be received in all the courts of this state as evidence of the facts therein stated; and said directors shall hold their offices until the first day of July, A. D. 1868, and until their successors shall be elected and qualified as hereinafter provided. All vacancies in said board may be filled by a vote of two-thirds of the directors present at any regular meeting of the board or at a special meeting called for that purpose.

§ 3. The said company are hereby authorized and empowered to locate, and, from time to time, to alter, change, re-locate, construct, re-construct and fully to finish, perfect, operate and maintain a railroad, with one or more tracks, from Belvidere, in the county of Boone, and state of Illinois, to the city of Ottawa, in the county of LaSalle, and state of Illinois, and to determine and locate the line of said railroad upon such route and line between said points, as may be deemed proper and advantageous by said company. Said company are hereby authorized and empowered to commence the construction of any portion of said railroad at such place and places along the line of the route, to be selected by said company, as it may be deemed expedient and advantageous so to construct the same by said company; and the said company are further authorized to use and operate said railroad, and shall have power and authority to regulate the time and manner in which goods, effects, and persons shall be transported on the same, and to prescribe the manner in which said railroad shall be used, and the rate of toll for transportation of persons or property thereon, and for the storage of merchandise and other property under their charge; and shall have power to provide all necessary stock and material for the operation of said road; and shall have power to erect and maintain all necessary depots, stations, shops, and other buildings and machinery, for the accommodation, management and operation of said road.

§ 4. Said directors shall as soon after the passage of this act as practicable open books for the purpose of receiving subscriptions to the capital stock of said company, at such places along the line of said road and elsewhere as said directors shall determine, under the direction of such agents as said directors shall appoint; and said books shall be opened, from time to time, until the amount of said capital

Organization.

How conducted

Location.

Route.

Transportation.

Storage.

Depots.

Subscription to stock.

Time and place

stock shall be subscribed or until said directors shall determine to close the same.

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| Use of lands. | § 5. It shall be lawful for said company, their officers, engineers and agents, to enter upon any land, for the purpose of exploring, surveying and locating the route of said road, doing thereto no unnecessary damage; and when said route shall be determined by said company it shall be lawful for them, their agents, officers, engineers, contractors and servants, at any time to enter upon, take possession of and use such lands, not exceeding one hundred and fifty feet in width along the line of said route, subject, however, to the payment of such compensation as the company may have agreed to pay therefor or such as shall be ascertained in the manner hereinafter directed and provided in such cases respectively; and said company are further authorized, by their officers, engineers, agents and servants, to enter upon lands adjacent to the railroad, beyond the limits of one hundred and fifty feet, in the manner provided in this |
| Condemn lands | |
| Compensation. | |
| Buildings, etc. | act, when necessary for the purpose of erecting depot buildings, station houses and necessary fixtures for the operation and for the business of said road, and for the purpose of making drains and giving a proper direction to water courses across or along said road, when the same are necessary beyond the limits of said road, and to remove all substances and things which might obstruct, endanger or interfere with the free use of said road, and to deposit earth, gravel or stone taken from cuts, and to obtain earth, gravel, stone and other materials for sub-embankments and structures necessary to the construction and repairs of said road, doing, however, no unnecessary damage; and all lands so acquired and all damages which shall be done to any lands or property under the provisions of this section shall be ascertained and paid for in the manner and agreeably to the provisions hereinafter provided; and when such damage shall have been paid for or tendered the title to the land occupied by such railroad, fixtures, excavations and embankments, shall vest in said company the same as in other railroad companies. It shall be lawful for any judge of the circuit or county courts of this state, on application of said company, either in term time or vacation, and at the cost of said company, to appoint three disinterested persons, residing in the county where said lands are situate, not of kin to the owner or owners thereof, whose duty and charge it shall be to view and examine all the lands so taken, in said county with the buildings and improvements, if any thereon, and to estimate the value of the land so taken or required by said company, and all damages which the owner or owners thereof shall sustain or may have sustained by reason of the taking of the same for the construction and use of said road or works appertaining thereto, taking into consideration the advantages as well as the disadvantages of |
| Obstructions. | |
| Materials. | |
| Title. | |
| Commissioners —duties of. | |
| Estimate. | |
| Benefits. | |

the same by means of the construction and operation of the said road to the said owner or owners; and when said commissioners are so appointed they shall act in all cases arising in said county requiring the action of commissioners, whenever said company shall be unable to agree with the owner or owners of said land; but if, for any cause, either or all of said commissioners shall become disqualified to serve or their place or places become vacant such vacancy or vacancies may be filled in the same manner that the original appointment was made. And it shall be the duty of the said company to give two weeks' notice of their application to a judge of the circuit or county court for the appointment of the said commissioners, to be published for two successive weeks, in a newspaper published in the county in which said land may be, or if no newspaper be printed in said county then in a newspaper published in the city of Springfield; and the affidavit of the publisher or printer shall be legal evidence of such publication; and the person so appointed, before entering upon the discharge of such duties, shall take an oath before some justice of the peace or other person competent to administer oaths, faithfully and according to the best of their abilities to examine the several pieces or parcels of land so taken or required by said company, and impartially to estimate and appraise the value of the same, and the damage or injury which the owner or owners of each piece or parcel thereof shall have sustained or may sustain by reason of the taking and using thereof by the said company over and above the benefits and advantages which said owner or owners shall derive from the construction of such railroad; thereupon such commissioners shall proceed to examine the premises and estimate the value of such land and the amount of damages, if any, over and above the benefits and advantages which may accrue to such owner or owners as aforesaid, and shall make a report, in writing, of such valuation, under their hands and seals, to the clerk of the circuit court of the county where the land lies, and shall return the same, within twenty days after making their appraisal, to the clerk of the circuit court of the county in which the land lies; and it shall be the duty of said clerk to file the same. And in case no appeal shall be made within twenty days after the filing of the said report, as hereinafter provided, then the said clerk shall record the same at the expense of said company, and judgment of the said court shall be entered thereon, either in term time or vacation, on motion of either party: *Provided*, that either party may appeal to the circuit court of the county in which said lands shall lie, within twenty days after said report shall have been filed in the clerk's office of said court; and such appeal shall be tried in the same manner as other issues are tried in said court; and the jury empaneled to try the same,

Notice.

Oath.

Damages to
property, etc.

Examination.

Report.

Time limited.

Proviso.

Appeal.

shall find the value of the land so taken or required by said company and the damages which the owner or owners thereof shall have sustained or may sustain by the taking of the same over and above the benefits which will accrue to such owner or owners from the construction of such railroad; and the judgment of the court shall be entered accordingly. Such appeal shall be taken by giving notice thereof to the clerk of said court, in writing, and, thereupon, the clerk shall enter the same upon the docket of said court, setting down the railroad company as defendant and the said claimant or claimants as plaintiff: *Provided, also*, that it shall not be lawful for the said commissioners or the said court to proceed in the assessment of damages or in the valuation of any lands or material, as aforesaid, in the absence of the owner or owners thereof, his, her or their agents or attorneys, unless it shall be shown to them, by competent testimony, that the said owner or owners

How conducted. of are absent from the state of Illinois, or that the said owner or owners have had at least five days' notice, in writing, of the time and place at which such assessment or valuation was to be made, which notice shall be served personally upon such owner or owners, or by leaving the same at their last or usual place of residence, with some person of suitable age and discretion; and if the said owner or owners shall be minors or *non compos mentis*, the service of the notice may be made on their guardian or trustee, if there be any, or in such manner as the court or jury appointing such commissioners shall direct. And if said owner or owners shall be non-residents or absent from the state or his residence unknown, the service of the notice may be made by publishing the same in a newspaper in said county for two successive weeks: *Provided, also*, that upon the making and filing of any report, as aforesaid, and the payment or legal tender of the amount of any valuation or appraisal specified therein, to the owner or owners of any such lands, his, her, or their legal representative, on the payment of the amount of such valuation or appraisal to the clerk of the court to which any appeal under this act may have been taken to abide the issue of such appeal, the said company, their agents or the contractors for making or repairing said railroad, may immediately take and use the same without waiting the issue of any appeal brought thereon. Whenever any judgment shall have been entered, as hereinbefore provided for, the value of any lands or for any damages for the taking and using of the same and the amount specified in such judgment shall have been paid or tendered to the owner or owners of such lands, his, his or their legal representatives, on the payment of the amount specified on such judgment or in such report of the commissioners to the clerk of the court to which any appeal under this act may have been taken, the said company

Proviso.

Absence of owners.

Notice served.

Proviso.

Appraisal.

shall be entitled to the said lands, in fee; and if such valuation be not received when tendered it may at any time thereafter be received or may be collected from said company, without interest, by action at law, at the cost and expense of the person or persons entitled to the same: *Provided*, such valuation shall not have been paid to the clerk of the court in which such appeal may have been taken: *And, provided*, that the costs of any proceedings and judgments specified in this act shall be taxed by the court and be paid by said company, except in cases where upon appeal the verdict of the jury shall be for the same or a less sum than that reported by the said commissioners.

§ 6. The said company are authorized and empowered to borrow, from time to time, such sums of money, not exceeding double the amount of stock subscribed, and upon which at least twenty-five per centum shall have been paid, as may be necessary for constructing, completing and finishing or operating said railroad, and to issue and dispose of their bonds in denominations of not less than five hundred dollars, for any amount so borrowed, and to pay any rate of interest therefor, not exceeding ten per cent., and to pledge and mortgage the said road and its appendages, or any part thereof, or any other property or effects, rights, credits or franchises of the said company, as security for any loan of money and interest thereon, and to dispose of the bonds issued for said loans, at such rates and on such terms as two-thirds of the directors may determine; and may make such bonds convertible into the capital stock of said company, at the option of the holder; and may provide a sinking fund for the redemption of said bonds out of the earnings of said road.

§ 7. The said company shall annually or semi-annually make such dividends as they may deem proper, of the net profits, receipts or incomes of said company among the stockholders therein, in proper proportion to their respective shares.

§ 8. Said company shall have power to make, ordain and establish all such by-laws, rules and regulations as may be deemed expedient and necessary to fulfill the purpose and carry into effect the provisions of this act and for the well ordering and securing the affairs and interest of said company: *Provided*, that the same be not repugnant to the constitution and laws of the United States or of this state. This act and all by-laws that may be adopted by the directors of said company, and all additions thereto and alterations thereof, shall, from time to time, be printed in a convenient form and be distributed among the stockholders of said company.

§ 9. It shall be lawful for any fifteen stockholders, by giving thirty days' notice, stating the objects, to call a meeting of the stockholders of said company; and the secretary

Proviso.

Proviso.

Borrow money.

Bonds.

Rates.

Mortgage.

Bonds convertible.

Sinking fund.

Dividends.

By-laws.

Proviso.

Additions.

Meeting of stockholders.

Examining
committee.

of said company shall certify said call and record the same as well as all matters that may be transacted under said call. The stockholders under such call may, by a majority voting therefor, proceed and appoint from among themselves a committee of three, with full power to examine all books, papers and accounts belonging to said company; and said committee may employ any competent accountant or accountants to aid in such examination; and said committee shall have power to examine any officer or officers, agent or agents or employees of said company, under oath, to be administered by the chairman of said committee; and said officer or agent or employee shall duly answer all questions that may be required of them by said committee touching any matter or matters relating to the affairs of said company; and the officers and agents of said company shall aid, as far as in their power, said committee, as they may require in said examination. The expenses of said examination shall be paid from the treasury of said company, upon warrants drawn upon the treasurer and certified by said committee; and said committee shall make a detailed report of said examinations at such time or times as said stockholders shall direct.

Expenses—how
paid.

Leasing fran-
chises.

§ 10. Said company shall have power and are hereby authorized to sell and convey or lease their railroad franchises, real and personal property, or any part or portion of their railroad, with the rights and franchises appertaining thereto, to any company or companies which have been or may hereafter be incorporated, or to any party or parties, upon such terms as may be mutually agreed upon between the contracting parties. Said company shall have power to unite their railroad, in whole or in part, with any other railroad or railroads now constructed or which may hereafter be constructed in this state coming in contact therewith, and to grant any such company or companies the right to construct and use any portion of such line of road hereby authorized to be constructed, and to purchase of any such company or companies the right to construct, operate and use the line of road constructed or in course of construction by such company, and to lease or purchase the right of way and franchises of any such company, together with its equipments, rolling stock, furniture and materials, and in constructing or operating such road or roads, and to complete, furnish, use and operate any such line of road so purchased or leased, upon such terms as may be mutually agreed between the said company or companies, or may consolidate the capital stock with the capital stock of any railroad company with which it shall intersect in this state, and shall have power to place the road of said company and its capital stock so consolidated under the direction of a board of directors of not less than seven, at least five of whom shall be chosen from stockholders resident within the counties

Connections
regulated.

Consolidation of
capital stock.

through which the said consolidated roads are located. The first board of directors shall be chosen as the directors of the companies consolidating their capital stock shall direct and agree, and all subsequent boards to be elected, as herein provided for, or as shall be provided by the by-laws of said company; but no consolidation shall be legal nor the sale or transfer of the permanent rights and privileges of said company, or purchase of or by said company, without the assent of two-thirds in interest of stock voting in favor of said consolidation, purchase, sale or transfer, at an annual or regularly called meeting of the stockholders or unless two-thirds in interest of the stockholders shall first give their written assent thereto; and it shall be lawful, after any sale, purchase or consolidation authorized by this section, for the several companies so consolidated to take any new name they may agree upon, and shall have and exercise all the rights, powers, privileges and franchises granted by the charters of the said several companies; and, by such name, may sue and be sued, plead and be impleaded, contract and be contracted with; and may adopt and change at pleasure a common seal, for the corporate use of such new company.

Directors.

Legality of sale

New name.

Powers conferred.

§ 11. Notice shall be published in some paper printed within the counties through which the said road is located, for election of directors and calls for installments to be made upon the capital stock and all meetings of stockholders. All matters intended for the action of stockholders by the directors or stockholders authorized to call meetings, shall be published in the notices given for the meeting before which said matters will be brought.

Notice of election.

Calls for installments.

§ 12. The said corporation shall be bound to repair all public highways, bridges or water courses which may be injured by constructing said railroad or its appendages, and shall restore them, as far as practicable, to as good a condition as they were before they were injured.

Repairs.

§ 13. Said company are hereby authorized to take and receive from the several subscribers to the said capital stock money, labor, materials, cars, locomotives and other articles adapted to the construction or operation of said railroad, or any property that, in the opinion of the board of directors, may be exchanged or converted to such use; and upon receiving full payment in manner aforesaid of any such subscription of stock, may issue to such subscriber or subscribers certificates therefor.

Materials for construction.

Certificates of subscription.

§ 14. The company hereby incorporated is hereby authorized to run its trains or make connections with any railroad into which it runs or intersects, upon such terms as may be mutually agreed upon; and in case they shall not be able to agree, then each corporation shall appoint one arbitrator and a third shall be appointed by the judge of the circuit court of the county where such junction is sought to be made, whose decisions shall be final.

Connections.

§ 15. This act shall be deemed and taken as a public act, and shall be in force from and after its passage.

APPROVED March 8, 1867.

In force March 9, 1867. AN ACT to amend an act entitled "An act to incorporate the St. Louis, Shelbyville and Tolono Railroad Company," approved February 19th, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name of said company shall be changed to "St. Louis, Shelbyville and Detroit Railroad company;" shall have all the rights, powers, privileges and immunities granted to or conferred upon the said "St. Louis, Shelbyville and Tolono Railroad Company" by the act to which this act is an amendment, and shall also have the further right and privilege of extending their railroad from Tolono to the eastern boundary of the state of Illinois, in the direction of Detroit, in the state of Michigan.

Change of name
Rights and pri-
vileges.
Application of provisions of act.

§ 2. That all the provisions of the act of which this act is an amendment shall extend and apply as well to the construction and maintenance of that part of the said railroad between Tolono and the eastern boundary of the state as to that part between St. Louis and Tolono.

§ 3. This act shall take effect and be in force from and after its passage.

APPROVED March 9, 1867.

In force March 9, 1867. AN ACT to revive and amend an act to incorporate the Chicago, Amboy and Upper Mississippi Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to incorporate the Chicago, Amboy and Upper Mississippi Railroad Company," approved February 13th, 1857, be and the same is hereby revived and declared to be in full force and effect, excepting, however, any powers given in said act for consolidation, sale or transfer of any part of said railroad to or with any other corporation or person.

Act approved Feb'y 13, 1857, revived and in full force.
Time of commencement and completion

§ 2. The said company shall have five years from and after the passage of this act to commence the construction of said road, and fifteen years thereafter for its completion;

and that William E. Ives, George Ryon, John C. Jacobs, Philander Haines, S. S. Steadman, John Y. Henry, Frederick R. Dutcher and Henry Badger, are hereby made a part of the commissioners for the purposes of procuring subscriptions to the capital stock of said company, with full power and authority to act with those persons heretofore appointed under said act, as fully and completely as though they had been originally appointed therein.

Stock subscription—commissioners for.

§ 3. This act shall take effect and be in force from and after its passage.

APPROVED March 9, 1867.

AN ACT to incorporate the Havana, Lincoln and Champaign Railroad Company.

In force March 9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Lyman Lacey, Francis Law, J. B. Wright, R. W. Porter, Cortes Hume, H. T. Shaw, James Deland, R. B. Latham, G. H. Campbell, J. M. Beesely, A. H. Miller, J. F. D. Elliott, John Wyatt, B. F. Harris, C. R. Griggs, Oliver L. Davis, E. S. Terry, J. H. Tucker, Thomas Snell, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Havana, Lincoln and Champaign Railroad Company;" and, by that name, be and they are hereby made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in any court of law or equity in this state or elsewhere, to make, have and use a common seal, and the same to renew and alter at pleasure; and they are hereby authorized to make and publish all necessary rules, regulations or by-laws for the carrying out of the purposes intended by this act, and to alter and change the same at pleasure.

Corporators.

Name and style.

Powers

§ 2. The capital stock of said company shall be one million dollars, which may be increased to any sum not exceeding five million dollars, which may be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued and transferred in such manner as the board of directors may prescribe.

Capital stock.

§ 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a railroad, with one or more tracks commencing at some convenient point in the town of Ipava, in Fulton county, in this state; to run from said point eastward to Havana, in Mason county; thence to Mason City, in said Mason county; thence to Lincoln, in Logan county; thence to Clinton, in

Route of road.

Appurtenances.

De Witt county, and thence to Champaign, in Champaign county; thence to Danville, in Vermilion county, or such other convenient point of intersection with the Toledo, Wabash and Great Western Railway; and with all necessary side-tracks, turn-outs, switches, depots, stations, and all necessary buildings, erections and structures; and for this purpose, they are hereby vested with all the powers necessary for the purchasing, taking, holding and selling and transferring property, real, personal and mixed, as natural persons, as the board of directors may deem necessary to carry out the objects of this act.

Business
powers.

Rights of way.

§ 4. For the purpose of acquiring the right of way for the construction of said road, side-tracks and turn-outs, and grounds for depots, stations or other buildings, erections and structures; and for the purpose of obtaining stone, gravel and other materials for building, ballasting or repairing the same, and of a right of way to said materials, the said company be and they are hereby authorized and empowered to take, condemn and use the same, under the provisions of "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22d, 1852.

Connections.

§ 5. Said company shall have power to unite or connect its railroad with any other railroads constructed or which may hereafter be constructed running east and west, upon such terms as may be mutually agreed upon between the companies so uniting or connecting; and, for this purpose, full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of such connection; and the said corporation may, furthermore, lease or purchase, upon such terms as may be agreed upon, any other road or parts of road, either wholly or partially constructed, which may constitute or be adopted as a part of their main line; and by such lease or purchase they shall acquire and become vested with all the rights and franchises pertaining to such road or part of road, so leased or purchased, in the right of way, construction maintenance and working thereof.

Indebtedness.

§ 6. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing and maintaining their said railroad; and to issue and dispose of the bonds, at such rate of interest and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purpose aforesaid; and the directors of the company may confer on any bondholder of any bond issued for money borrowed, as aforesaid, the right to convert the principal due or owing thereon into stock of said company, at any time; and may, further,

authorize the holder of any such bond to vote at any and all elections for the election of officers for said corporation, under such regulations as the directors of said company may see fit to adopt; and any such bonds that may be sold or disposed of at a less rate than par shall be as valid and binding upon said company as if the same were sold for the par value thereof.

§ 7. Full authority is hereby given to the corporate authorities of the several counties, towns, townships, cities, villages and other municipal corporations through or near which said railroad may be laid out and located, to become proprietors, by purchase or subscription of as many shares of stock in said corporation as a majority of the legal voters of such municipal corporation present and voting at any legal meeting called for that purpose may authorize the said municipal corporations to subscribe for and purchase; and a special tax may be assessed and levied by said authorities for the purpose of raising the necessary amount of money to pay for the amount of stock so authorized to be subscribed for and purchased by the said municipal corporations, in the same manner as special taxes for other purposes may be assessed and levied by said authorities of said municipal corporations, in cases where such corporations are by law authorized and empowered to assess and levy special taxes. Stock subscrip-
tion.

§ 8. Whenever it shall be necessary, for the construction of said road, to intersect or cross a track of any other railroad, or any stream of water or water course, or navigable water, or road or highway, it shall be lawful for said company to construct their said road across or over the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, or navigable waters, road or highway, thus intersected or crossed, to its former state, as near as may be, or in a manner not materially to impair its usefulness or to interfere with the full and free navigation of such navigable waters to a greater extent than the nature of the case requires. Crossings, etc.

§ 9. The said corporation, whenever they shall deem it expedient, may use a portion of any road, street or alley for the construction of their said railroad: *Provided*, they shall first have obtained permission from the president and trustees of the town through which their said railroad passes or of the commissioners of highways, when the road runs through towns not incorporated; and the said president and trustees and the said commissioners of highways, or a majority of them, are hereby authorized and empowered to grant said corporation the right to construct and use their said railroad upon and along any such public road, street or alley over which they, the said president and trustees or commissioners have the supervision and control: *Provided*, Use of alleys.
Proviso.
always, that said corporation shall not occupy to exceed Proviso.

fifteen (15) feet in width along any such street, road or alley for said railroad.

Property in fee simple. § 10. All rights of way and the real estate for the right of way and for the purposes aforesaid, purchased or acquired by said company, whether by mutual agreement or otherwise, or which shall become the property of said company by operation of law, as in this act provided, shall, upon the payment of the amount of money belonging to the owner or owners of said land, as a compensation for the same, become the property of said company in fee simple.

Directors. § 11. All the corporate powers of said company shall be vested in and exercised by a board of directors, to consist of not less than five or more than thirteen members and such officers, agents and servants as they shall appoint.

Vacancies--how filled. Vacancies in all the boards of directors may be filled by a vote of two-thirds of the directors remaining--such ap-

Term of office. pointees to continue in office until the next annual election of directors; which said annual election shall be held at

Time and place of election. such time and place as may be designated and fixed by the by-laws of said company, thirty days' printed notice being given in two newspapers having circulation along the line of the said railroad.

Notice of. First directors. § 12. The persons named in the first section of this act shall be the first directors of said corporation, and shall, respectively, hold their offices until their successors are elected and qualified.

§ 13. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 9, 1867.

In force March 9, 1867. AN ACT to incorporate the Louisiana and Pike County Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Corporators. A. Grimshaw, Joseph M. Bush, Benjamin F. Westlake, William Steers, E. M. Seeley, Scott Wike, James S. Irwin, John S. Roberts, Robert A. McClintock, Gilbert J. Shaw, Thomas Fesler and C. L. Higbee, their associates, successors and assigns, be and they are hereby created a body Name and style corporate, by the name and style of "The Louisiana and Pike County Railroad Company;" and, by such name and Business powers, etc. style, said company shall have perpetual succession, and is hereby empowered to build, construct, maintain, use and operate a railroad, from a point on the Mississippi river, opposite or nearly opposite the city of Louisiana, in the state of Missouri, through the town corporate of Pittsfield, to the Hannibal and Naples Railroad, at Philips' Ferry, or

New Salem, or any intermediate point on said Hannibal and Naples Railroad, between said Philips' Ferry and New Salem, with power to extend the same north from where it intersects said Hannibal and Naples Railroad to Mount Sterling, in Brown county, with power to fix the amount of the capital stock of said company, to divide, transfer and increase the same, at pleasure; to borrow money, and pledge or mortgage their property or franchises; to condemn, according to law, lands, and to pass over and use any land blonging to the state or any public highway, so far as the same shall be necessary for the track of said road, and for the turn-outs, side-tracks and sites for the depots, engine houses and other buildings necessary for the convenience and accommodation of said railroad; to consolidate its capital stock and franchises with any other railroad company, and to contract, bargain and agree with any other party or railroad company for the construction, use or maintenance of said railroad, or any part thereof; to receive subscriptions to the capital stock of said company from individuals, companies, counties, towns or cities; and, generally, to have all the powers incident to a corporation, which are necessary to carry out the intentions of this act. And any county or town through which said road may pass is hereby authorized and empowered to subscribe stock to such railroad. Said company shall have the power and is hereby authorized to construct and build a bridge across any river, lake, creek or stream of water, for the purpose of connecting with other railroads at said Louisiana or in said Pike county: *Provided*, that any such bridge shall not be so constructed as to impede the navigation of any navigable river.

Consolidation of
stock and fran-
chises.

Subscription to
stock.

Bridge privi-
leges.

Proviso.

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

APPROVED March 9, 1867.

AN ACT to amend an act entitled "An act to incorporate the Northern Railway Company," approved February 15, 1865. In force March 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the words "near the town of Libertyville, and thence," occurring in the fifth and sixth lines of the second section of "An act to incorporate the Northern Railway Company," approved February 15, 1865, be and the same is hereby stricken out of said section and act.

Words stricken
out.

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

APPROVED March 8, 1867.

In force March 8, 1867. AN ACT to incorporate the Aroma and Kankakee Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edward R. Beardsley, James Byrns, Henry Bovie, George Cooper, Lorenzo Legg, William Legg, James L. Brower, John F. Donnivan, Reville Beebe, Daniel Bebee, Hardy Wilkinson and Henry P. Lowe, their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, under the name and style of "The Aroma and Kankakee Railroad Company," for the purpose of surveying, locating and constructing, completing and operating a railroad from the city of Kankakee, in Kankakee county, in the state of Illinois, and thence on the most eligible route to the village of Aroma, in the said county, or from the said village of Aroma to some point on the Illinois Central Railroad, as said company may determine, whenever said persons or their assigns or associates shall organize in full compliance with the provisions of an act entitled "An act to provide for a general system of railroad incorporations," approved November 5, A. D., 1849.

§ 2. Said road, with the points above herein indicated, is hereby declared to be of sufficient public utility to justify the taking of private property for the location, construction and maintenance thereof; and the company is hereby authorized to take private property for the purpose of constructing and maintaining the same, in the manner prescribed in the act referred to as aforesaid.

§ 3. The said company shall have power to receive donations and subscriptions to the capital stock of said company, and shall have power to sell and convey the same.

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

APPROVED March 8, 1867.

In force May 8, 1867. AN ACT to incorporate the Beardstown, Rushville and Keokuk Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Horace Billings, William A. Patterson, H. G. Ferris, Harvey W. Sample, F. M. Corby, James M. Epler, Thomas Wilson, John Ewing, R. M. Worthington, E. D. Leach, Charles Farwell, W. W. Wells, George Nelson, Wm. H. Windon, W. H. Ray, James N. Ward, G. W. Metz, and their associates, successors and assigns, be and they are hereby created a

body corporate and politic, under the name and style of "The Illinois and Mississippi Railroad, Company," and, by that name, be and they are hereby made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended in any court of law and equity, in this state or elsewhere; to make, use and have a common seal, and the same to renew and alter at pleasure; and shall be and hereby are vested with all powers, privileges and immunities which are or may be necessary to construct, complete and operate a railroad, with double or single track, from the city of Beardstown, by the way of Rushville, in Schuyler county, to a point on the Mississippi river, opposite or as near as practicable to the city of Keokuk, in the state of Iowa; and for that purpose to enter upon and take possession of so much land as may be necessary to construct, complete and operate said railroad and its appendages. And if said company can not agree with the owner or owners of said land, taken as aforesaid, it may be lawful for them to proceed in the manner now provided by the laws of this state for the condemnation of lands by incorporated companies; and may also exercise, for said purpose, all such powers as have been heretofore or may be hereafter conferred upon any other railroad company incorporated by the laws of this state.

Name and style
Powers.

Possession of
property, etc.

§ 2. The capital stock of said company shall be one million dollars, which may be increased by said company to any sum not exceeding three million of dollars, which may be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued and transferred in such manner as the board of directors may prescribe.

Capital stock.

§ 3. The affairs of said company shall be managed by a board of seven directors, which may be increased to any number not exceeding thirteen; and the persons named in the first section of this act are hereby appointed the first board, who shall hold their offices until their successors are elected and qualified, in such manner as may be prescribed by the by-laws of said company. Said board shall have the power of electing one of their number president, and such other officers as may be prescribed by the by-laws; and said corporation shall be and is hereby vested with all the powers conferred upon any railroad incorporations by the general railroad laws of this state, or any amendment now made or hereafter to be made thereto.

Management of
affairs.

§ 4. Said corporation shall have power, from time to time, to borrow such sums of money as may be necessary for the purposes of said company, and at any rate of interest not exceeding ten per cent. per annum, and to issue and dispose of their bonds in denominations of not less than one hundred dollars, for any amount so borrowed, and to mortgage their corporate property, real or personal, and their

Indebtedness.

franchises, or convey the same, by deed of trust, to secure the payment of any money so borrowed, or any other debt of said company.

Business powers.

§ 5. Said company shall have power to construct and build a bridge across any river, creek, lake or stream of water, wholly within the state of Illinois, for the purposes of connecting with other railroads: *Provided*, that any such bridge shall not be so constructed as to impede the navigation of any navigable river.

Sale and lease of franchises and property.

§ 6. Said company shall have power and are hereby authorized to sell and convey or lease their railroad franchises, real and personal property, or any part or portion of their railroad, with the rights and franchises appertaining thereto, to any company or companies which have been or may hereafter be incorporated, or to any party or parties, upon such terms as may be mutually agreed upon between the contracting parties. Said company shall have power to unite their railroad, in whole or in part, with any other railroad now constructed or partially constructed in this state, coming in contact therewith, and to purchase of any such company all or any portion of their road; also to purchase the right of way and franchises of said company, and material used in its construction, upon such terms as may be mutually agreed upon between the said companies.

Connections.

Right of way.

§ 7. This act shall be deemed and taken as a public act, and shall be construed beneficially for all purposes herein specified or intended.

APPROVED March 8, 1867.

In force March 8, 1867. AN ACT to incorporate the Quincy, Alton and St. Louis Railway Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Almon Wheat, Benjamin F. Berrian, Perry Alexander, Eli Leehon, Morris Kelly, John J. S. Wilson, James W. Singleton, Edward D. L. Sweet, Charles A. Savage, Ozias C. Skinner, Maitland Boon, Edward Wills, A. J. F. Prevost, Edgar R. Morris, Chauncey L. Higbee, Ozias M. Hatch, Alexander Starne, Benjamin D. Brown, George Wike, and

Corporate powers.

Name changed.

their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name of "The Quincy, Alton and St. Louis Railway Company;" and said company shall have perpetual existence, and may make, have and use a common seal, and alter the same at pleasure; and by that name they are hereby made capable, in law, of suing and being sued, pleading and being impleaded, defending and being defended in any court of law

or equity in this state; and shall be and are hereby vested with all the powers and privileges which are or may be necessary to carry into effect the purposes of this act, hereinafter set forth. And the said company are hereby authorized and empowered to locate, construct and finally complete a railroad from the city of Quincy, in the state of Illinois, to the city of Alton, in the said state, by way of the township of Payson, and from thence to a point opposite the city of St. Louis, and within the state of Illinois. And for that purpose said company are authorized, upon the most eligible and practicable route, to lay out their said railroad, wide enough for a single or double track, through the whole length, and may enter upon and take a strip of land, not exceeding one hundred feet in width; and for the purposes of cuttings, embankments, stone, gravel and depots, may take as much more land as may be necessary for the proper construction and security as well as the use of said railroad: *Provided*, that said road shall not be located more than one-half mile west of the bluff in the Mississippi river, in Adams county, Illinois, nor shall the same be located upon the Mississippi river bottom, in Adams county, or Pike county, Illinois, further than to a point one mile south of Mill creek, in said Adams county.

Authority to
construct and
complete road.

Line of road.

Possession of
grounds, etc.

Proviso.

§ 2. The capital stock of said company shall be one million dollars, and may be increased by said corporation to such amount as may be deemed necessary to the completion of said railroad and bridges over which said road may pass; said capital stock to be divided into shares of one hundred dollars each.

Capital stock.

§ 3. The immediate government and direction of said corporation shall be vested in a board of directors, of not less than nine nor more than thirteen members, who shall be chosen by the stockholders of said corporation in the manner hereinafter provided, who shall hold their office for one year after their election, and until others are duly qualified as such. And the said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their number president of said corporation. They shall also elect a secretary and treasurer, and may choose such other officers or agents as they may think proper.

Government, etc

§ 4. All lands and real estate, entered upon and taken possession of and used by said corporation, for the purposes of the accommodation of said railroad, or upon the site upon which said railroad shall have been located and determined by said corporation, shall be paid for by said company in damages, if any are sustained by the owner or owners thereof by the use of the same for the purposes of said railroad; and all lands entered upon and taken for the use of said corporation, either corporate or private, which are not donated to said company, shall be paid for by said

Lands to be
paid for.

| | |
|--------------------------------------|---|
| Price of. | corporation at such price as may be mutually agreed upon by the corporation and the owner or owners of said lands ; and in case of disagreement between the corporation and the owner or owners of such land, the price shall be estimated, fixed and recovered in manner provided for under the act entitled "An act to provide for a general system of railroad incorporations," approved November 5, 1849, and any act or acts passed amendatory thereof or supplemental thereto. And said corporation shall have and possess all the powers, privileges and immunities provided in and by said general railroad act or acts amendatory thereof, or supplemental thereto. |
| How fixed and recovered. | |
| Annual meetings. | § 5. The time of holding the annual meetings of said corporation, for the election of directors, shall be fixed by the by-laws of said company; and at all meetings, each stockholder shall be entitled to vote, in person or by proxy, one vote for each share of the stock he or she may hold in said corporation. |
| Directors. | § 6. The persons named in the first section of this act are hereby appointed directors of said corporation, and shall hold their office until others are duly chosen and qualified ; and said persons heretofore named are hereby appointed commissioners, who, or a majority of them, are hereby authorized to open subscription books for said capital stock, at such places and times as they may deem proper ; and said books shall be kept open until at least one hundred thousand dollars shall have been subscribed. The directors appointed by this act, or a majority of them, shall constitute a quorum for the transaction of business ; and shall elect one of their number president of said company, and may elect such other officers and agents as they may deem necessary. In case a vacancy shall happen in said board of directors, it may be filled by the remaining directors, or as the by-laws may prescribe. |
| Term of office. | |
| Stock subscription. | |
| Quorum. | |
| President. | |
| Officers, etc. | |
| Property of femme covert and infant. | § 7. When the lands of any <i>femme covert</i> , person under age, <i>non compos mentis</i> , or any non-resident of the state, shall be taken in the construction of said railroad, as is provided for by this act, the said corporation shall pay the amount that shall be awarded as due to said owner or owners, respectively, whenever the same may be lawfully demanded, together with six per cent. per annum, or may deposit the amount with the county treasurer of the county in which said land lies. |
| Bridges, etc. | § 8. It shall be lawful for the company created by this act to build and maintain a bridge over the Illinois river, at such place as said company may select for crossing the same, for the crossing of their trains, and to take, as hereinbefore provided, such land as may be necessary for the approaches to the same: <i>Provided</i> , that such bridge shall not be constructed so as to materially impede the navigation of said river. |
| Necessary laws for. | |

§ 9. It shall be lawful for the counties and townships on the line of said road, and through which said road may pass, to subscribe to the capital stock of said company: *Provided*, that no subscription shall be made until the question shall have been submitted to the legal voters of the county or township in which the subscription is proposed to be made; and the clerk of each of said towns is hereby required, upon the presentation to him of a petition, signed by at least ten citizens who are legal voters of the town for which he is clerk, in which petition the amount proposed to be subscribed shall be stated, to post up notices, in at least three public places in said town, (which notices shall be posted at least ten days before the day of holding such election), notifying the legal voters of said town to meet at the usual place of voting, for the purpose of voting for or against such subscription.

Subscription to
stock by coun-
ties, etc.

Proviso.

§ 10. If it shall appear that a majority of all the voters have voted for subscription, it shall be the duty of the supervisor of each of said towns, that shall vote for such subscription, to subscribe to the capital stock of said railroad company, in the name of the town for which he is supervisor, the amount so voted to be subscribed, and to receive from said company the proper certificates therefor. He shall also execute to said company, in the name of said town, bonds, bearing interest not to exceed ten per cent. per annum, which bonds shall run for a term of not more than twenty years, and the interest on the same shall be made payable annually; and which bonds shall be attested by the clerk of the town in whose name the bonds are issued; and it shall be his duty to make a record of the issuing of such bonds. Said bonds to be delivered to the president of said company for the use of the same.

Duties of
supervisors.

§ 11. It shall be the duty of the clerk of each of said towns in which a vote is given for subscription, within ten days thereafter, to transmit to the county clerk of said county in which said township is located, a statement of the vote given and the amount voted to be subscribed, and the rate of interest named in the bonds.

Duties of
town clerk.

§ 12. It shall be the duty of the county clerk, annually thereafter, to compute and assess, upon all the taxable property returned by the assessor of each of said towns which have voted to subscribe, a sufficient sum to pay the interest on all bonds issued by the respective towns; which tax shall be extended upon the collector's books as other taxes are, and shall be collected in the same manner that other taxes are collected; and when collected shall be paid into the county treasury as county taxes are paid.

Duties of
county clerk.

§ 13. It shall be the duty of the treasurer of said county to pay out, on the presentation to him of the bonds issued by any town as aforesaid, the amount due upon each of said bonds as interest, out of any money in his hands for that

Duties of
county treas'r.

purpose, and indorse the payment upon said bonds, or take such vouchers as he may prescribe. He shall keep, also, an account with each town of all money received by him, and paid out on account of said towns; which account shall be at all times open to the inspection of all persons wishing to examine the same.

Duties of county supervisors.

§ 14. The boards of supervisors of the counties through which this road shall pass shall be authorized to subscribe one hundred thousand dollars, each, to the capital stock of the company, and shall have the authority to cause the issue of the bonds of said counties, through which said railroad may pass, to said railroad company, to the amount so subscribed; said bonds bearing interest at a rate not exceeding ten per cent. per annum: *Provided*, that before said subscription be so made, a vote of the legal voters of said county or counties be had, through which said railroad is to be constructed, and it shall appear that a majority of all the votes cast shall be in favor of such subscription.

Connections.

§ 15. It shall be lawful for the company created by this act to unite with any other railroad company which may have been or hereafter shall be incorporated by this state, upon such terms and conditions as the stockholders, representing a majority of the stock of each corporation, may mutually agree.

Borrow money.

§ 16. For the purpose of facilitating the construction of the railroad authorized by this act, said corporation is empowered to borrow money, and pledge its property, both real and personal, and its rights, credits and franchises, to secure the payment thereof.

Payment of.

§ 17. This act shall take effect and be in force from and after its passage.

APPROVED March 8, 1867.

In force March 9, 1867.

AN ACT to incorporate the Murphysboro and Shawneetown Railroad Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That F. J. Chapman, Silas Hindman, Daniel H. Bush, George Feltz, Ephraim Snyder, James M. Goddard, Peter Kiefer, S. S. Hall, G. B. Davis, J. H. Maxwell, J. H. Bradley, and James Elliott, of the county of Jackson; B. F. Ensinger, Samuel Dunaway, George L. Owens, John Goodall, Robert P. Erwin, and A. N. Lodge, of the county of Williamson; J. W. Mitchell, D. B. Grace, Green B. Raum, Robert Mich. and James A. Harris, of the county of Saline, and Robert Pierce, J. P. Bailey, Joel Cook, Daniel Woods,

Charles Carroll, and O. Pool, of the county of Gallatin, and their associates and successors, are hereby created a body corporate and politic, under the name and style of "The Murphysboro and Shawneetown Railroad Company," with perpetual succession; and under that name and style shall be capable of suing and being sued, pleading and being impleaded, defending and being defended against, in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons; may make and use a common seal, and alter and renew the same at pleasure; and by their said corporate name and style shall be capable in law of contracting and being contracted with; shall be and are hereby invested with all the powers, privileges, immunities and franchises of receiving and disposing of real and personal estate which may be needful to carrying into effect the purposes and objects of this act; and said company are hereby authorized and empowered to locate, construct and complete a railroad, commencing at or near the town of Murphysboro, in Jackson county, thence to the town of Marion, in Williamson county, thence to the town of Harrisburg, in the county of Saline, and thence to the town of Shawneetown, in the county of Gallatin, with one or more tracks of rails.

Corporate name
and powers.

Line and route
of road.

§ 2. The capital stock of said company shall consist of one million of dollars, and may be increased by said company to five millions, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in seven directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office 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 number to be president of the company, and shall have power to appoint or elect such other officers as they shall deem proper.

Capital stock.

Directors.

§ 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a railroad as aforesaid, with all necessary side-tracks, turn-outs, switches, depots, stations and all necessary buildings, erections and structures; and for this purpose they are hereby vested with all the powers necessary for the purchasing, taking, holding and selling and transferring property, real or personal, as natural persons, as the board of directors may deem necessary to carry out the objects of this act.

Transfer of
property.

§ 4. For the purpose of acquiring the rights of way for the construction of said road, side-tracks, turn-outs and grounds for depots, stations and other buildings, erections, and structures, and for the purpose of obtaining stone, gravel and other materials for building, ballasting or

Right of way.

repairing the same, and of a right of way to said materials, the said company be and they are hereby authorized and empowered to take, condemn and use the same, under the provisions of "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, 1852.

Connections.

§ 5. Said company shall have power to unite or connect its railroads with any other railroad constructed, or which may hereafter be constructed in this state, upon such terms as may be mutually agreed upon between the companies so uniting or connecting; and for that purpose full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of such connection; and said corporation may, furthermore, lease or purchase, on such terms as may be agreed upon, any other road or parts of roads, either wholly or partially constructed, which may constitute or be adopted as part of their main line; and by such lease or purchase they shall acquire and become vested with all the rights and franchises pertaining to such road or part of road, so leased or purchased, in the right of way, construction, maintenance and working thereof.

Indebtedness.

§ 6. The said company is hereby authorized from time to time to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing, operating and maintaining their said railroad, and to issue and dispose of the bonds at such rate of interest and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purpose aforesaid; and the directors of said company may confer on any bondholder of any bond issued for money borrowed as aforesaid, the right to convert the principal due or owing thereon into stock of said company, at any time; and may further authorize the holder of any such bonds to vote at any and all elections for the election of officers of said corporation, under such regulations as the directors of said company may see fit to adopt; and any such bonds that may be sold or disposed of at a less rate than par, shall be as valid and binding upon said company, as if the same were sold for the par value thereof.

Directors

§ 7. All the corporate powers of said company shall be vested in and exercised by a board of directors, to consist of seven members, and such officers, agents and servants as they shall appoint. Vacancies in all the boards of directors may be filled by a vote of two-thirds of the directors remaining, such appointees to continue in office until the next annual election of directors; which said annual elections shall be held at such time and place as may be designated and fixed by the by-laws of said company, thirty days'

printed notice being given in two newspapers having a circulation along the line of said railroad.

§ 8. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of them, after a meeting, duly called by one or more of them, by giving thirty days' notice of the time, place and object of such meeting, in one newspaper (if one shall be published) in each of the counties through which said road will run, shall meet and proceed to open books and receive subscriptions to the capital stock of said company. Ten dollars for each share subscribed shall be paid on subscribing; and whenever fifty thousand dollars shall have been subscribed, the subscribers may organize said corporation and proceed to the election of directors; and when the directors of said company are chosen, the said commissioners shall deliver the said subscription books, with all sums of money received by them as commissioners, to said directors. No person shall be a director who shall not be a stockholder, and each stockholder shall be entitled to one vote for each share of stock he shall hold upon which all calls have been paid. The directors of said company, after the same is organized, shall have power to open books to fill up the capital stock of said company, or any part thereof, at such time as they may deem expedient; and all installments required to be paid on the stock originally subscribed, or what may be taken to increase said capital, shall be paid at such time and in such amounts as said directors may prescribe: *Provided*, that subscriptions of stock may be made to said company in lands, at their cash value at the time of subscription, as may be agreed upon between the subscriber and the directors of said company; such subscriptions to be designated on the books as a land subscription, and to be considered as paid by conveyance of such land to the company: *And, provided, also*, that owners of land along or near the line of said road may be authorized to subscribe stock, and to secure payment of the same by promissory note and mortgage; such note to draw eight per cent. interest, payable semi annually from and after the road shall have been completed, through, to or parallel with the mortgaged premises, or any part thereof, with the privilege to the maker to discharge the principal at pleasure; such subscription to be designated on the books as a mortgage subscription, and to be free from all calls upon stock. Such subscribers however, shall have no right to vote as stockholders in said corporation, until interest shall have become payable upon such subscriptions: *And, provided, further*, that said corporation shall dispose of all lands to which it may acquire title or fee other than such real estate as it may acquire for the use and operations of said road as is in this act provided, within five years after the acquisition thereof. Whenever it shall be necessary for the construction of said railroad to intersect or cross the track of any other railroad

Subscription
to stock.

Proviso.

Proviso.

Proviso.

or stream of water, or water course, or road, or highway, on the route of said road, it shall be lawful for the company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, road or highway intersected or crossed, to its former state, or in a sufficient manner not materially to impair its usefulness.

Proviso.

Property in fee simple.

§ 9. That the right of way, and the real estate for the right of way and for the purpose aforesaid, purchased or acquired by said company, whether by agreement or otherwise, or which shall become the property of the company, by operation of law, as in the act provided, shall, upon the payment of the money agreed or adjudged to be paid to the owner or owners of said land, as a compensation for the same, become the property of said company in fee simple.

Rights and privileges.

§ 10. That all the rights, privileges and advantages, with the limitations and restrictions conferred upon the Illinois Central Railroad Company, also the rights, privileges and advantages, with their limitations, conferred by an act entitled "An act to provide for [a] general system of railroad incorporations," approved November 5, 1849, and the several acts amendatory thereof, except as hereinafter qualified, are hereby conferred upon the said company.

What counties may subscribe to stock.

§ 11. To further aid the construction of said road by said company, the counties of Jackson, Williamson, Saline and Gallatin, in said state of Illinois, may each subscribe to the capital stock of said road in any sum not exceeding one hundred thousand dollars.

Subscription determined by vote.

§ 12. No such subscription shall be made by any of said counties until the question has been submitted to the legal voters of such county, in which the subscription is proposed to be made; and the clerk of the county court of each of said counties is hereby required, upon the presentation of a petition signed by at least one hundred citizens of said county, who are legal voters and tax payers of such county, in which petition the amount proposed to be subscribed shall be stated, to post up a notice, in the most public place in each precinct in said county, (which notice shall be posted not less than ten days before the day of holding such election,) notifying the legal voters of said county to meet at their usual places of voting, in each precinct, for the purpose of voting for or against such subscription; but no such vote shall be taken unless at a regular election for county officers.

Duty of county court therein.

§ 13. If it shall appear that a majority of all the voters voting [at] such election have voted for subscription, it shall be the duty of the county court of each of said counties that shall vote for such subscription, to subscribe to the capital stock of said railroad company the amount so voted to be subscribed, and to receive from said company the proper

certificate therefor. The said county court shall also execute to said company, in the name of said county, bonds, bearing interest not to exceed eight per cent. per annum; which bonds shall run for a term of not less than fifteen years nor more than twenty years, and the interest on the same shall be made payable annually, and which bonds shall be signed by a majority of the county court and attested by the clerk of said court of such county; and it shall be the duty of said clerk to make a record of the issuing of said bonds. Said bonds shall be delivered to the president or secretary of said railroad company, for the use of said company.

§ 14. It shall be the duty of the county court of such county, annually thereafter, to compute and assess upon all taxable property in said county, returned by the assessors thereof, which have voted to subscribe a sufficient sum to pay the interest on the bonds issued to said company by said county, which tax shall be extended upon the collector's books as other taxes are, and shall be collected in the same manner as other taxes are collected; and when collected shall be paid into the county treasury as county taxes are paid: *Provided, however*, that said taxes shall be collected and paid into said county treasury in the same kind of funds that taxes collected for state purposes shall be collected in.

Property assessed to pay interest, etc.

§ 15. It shall be the duty of the county treasurer of such county to pay out, on presentation to him of the bonds issued by said county, the amount due upon each of said bonds, as interest, out of any money in his hands for that purpose, and indorse the payment thereof upon said bond, and take duplicate receipts for the same—one of which duplicate receipts he shall file with the clerk of the county court of said county, on or before the next regular term of said court. And said treasurer is now required, by law, to report all such moneys received by him, and present his accounts and make a settlement with the county court of said county, and file, with the clerk of the county court, a full and complete statement of all such moneys, so received by him, and how he has disbursed the same; which statement shall be made under oath. And said statement shall be open to the inspection of all who desire to examine the same.

Duties of county treasurer.

§ 16. At all the elections for officers, and on all questions voted upon by the stockholders of said company, one of the judges of the county court of said county, which may subscribe to the stock of said company, shall represent and cast the vote which said stock is entitled to: *Provided*, that said judge shall be appointed by said court for said purpose, and a certificate of the county clerk of said court, of said appointment, under the seal of said court, shall be sufficient evidence of his appointment.

Vote of judges of county court

Proviso.

§ 17. Any railroad company with whose road the aforesaid road may intersect or connect is hereby authorized

Subscription to stock by railroad companies

and empowered to subscribe to the capital stock of this company any sum, not exceeding one hundred thousand dollars; and shall have the same rights, privileges and powers, in this company, and shall be subject to the same conditions, restrictions and limitations as other stockholders therein.

Stockholders'
liabilities.

§ 18. No stockholder, whether corporate or natural person, shall be otherwise liable upon his, her or their subscription of stock, than for the amount of their respective subscriptions of stock to said company, and according to the calls of the directors, as hereinbefore provided.

APPROVED March 7, 1867.

In force March 7, 1867. AN ACT to incorporate the Hamilton, Lacon and Eastern Railroad Company.

Corporators.

Corporate name
and powers.

Business pow-
ers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly;* That R. W. McLawrie, B. T. O. Hubbard, Henry G. Hardin, James St. C. Boal, James F. Callen, Ninian M. Laws, Aaron N. Hart, Paul Cornell, and Nehemiah Edson, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of "The Hamilton, Lacon and Eastern Railroad Company," and by that name shall have perpetual succession, with power to contract and be contracted with, sue and be sued, plead and be impleaded in all courts and places; to adopt a common seal, and alter the same at pleasure; to adopt such by-laws, rules and regulations as they may deem expedient, and to have and exercise all other rights and powers necessary to carry out the provisions and intentions of this act.

§ 2. Said company is hereby authorized and empowered to locate, build, construct, maintain, equip, operate and continue to operate a railroad from Hamilton, in Hancock county, Illinois, by the most eligible and practicable route, through or near Lacon, in Marshall county, to or near Monee, in Will county, Illinois. Said company, in laying out, locating, building, constructing and operating said railroad, may cross any railroad or railroad line now laid out, or hereafter laid out in this state, and may construct said railroad across any stream of water, water course, road or highway, street, alley or canal, in such manner as not materially to obstruct the same; and may unite, intersect or connect said railroad, at or near Monee, with any railroad running in an eastern or northeastern direction, or with any railroad it may cross on its route, or at its termination, running in the direction of Chicago: *Provided, however,* and it is herein

forbidden to said company to consolidate said railroad with any other railroad of a competing direction, or for the purpose of preventing competition. Said company shall have the right to purchase, hold, lease, sell and convey real estate and personal property, so far as the same may be necessary to carry out the provisions and intentions of this act; and they may sell and dispose of the same whenever not required for the purposes of their business.

§ 3. Said company shall have the right to lay out and establish their railroad, not exceeding one hundred feet in width, through the entire line thereof, and may take and appropriate to their own use all land necessary for the line and construction of said railroad, by first paying therefor such amount of damages as shall be agreed upon between said company and the owner or owners of said land, and in case of disagreement their paying, or tendering therefore, such damages as shall have been settled by appraisal, in the manner hereinafter provided, on all such lands as may be taken by said company; and for the purpose of cutting and making embankments, obtaining stone, sand, gravel or other material, said company may take and appropriate so much more land as may be necessary for the proper construction, maintenance and security of said railroad; and for the purpose of constructing shops, depots, side-tracks and other conveniences and suitable fixtures, in connection with appurtenances to said railroad, may take, have, use and occupy any lands on either side of said railroad, not exceeding two hundred feet in width—said company taking all such lands by gift or purchase, or making satisfaction for the same in the manner hereinafter provided. And it shall be lawful for said company, at any time or times hereafter, to project and extend, from any point or points of their said road, branches or side-tracks thereof to any coal or mineral bed or beds or mines in the respective vicinity, with the necessary appendages, which shall be laid out, built and governed, and rights of way and other ground obtained therefor, under and according to the provisions of this act; and the same shall be treated in all respects as a part of the main line.

Possession and
use of lands.

§ 4. If said company can not agree with the owner or owners of land which it may be necessary to take, for the purposes aforesaid, so as to procure the same by deed or the voluntary act or gift of such owners of land, or if the owner or occupier or either of them be *femme covert*, infant, *non compos mentis*, unknown or out of the county in which the land wanted may be situated, then the same may be taken and paid for, if any damages be awarded, in the manner provided for in "An act to provide for a general system of railroad incorporations," approved November 5, 1849, and the amendments thereto. The right of way and other real estate purchased by or donated to said company,

Lands taken.

Property in fee
simple.

for any of the purposes aforesaid, shall be held by them in fee simple; and any rights of way or real estate taken, condemned or appropriated as aforesaid, upon the payment or tender of the amount of damages awarded, shall also be held by said company in fee simple.

Capital stock. § 5. The capital stock in said company shall be two million of dollars, which may be increased to any extent considered necessary, by said company, to complete, construct and operate said railroad; and shall be divided into shares of one hundred dollars each. And the said company is hereby authorized to receive, in payment for stock, any land lying within ten miles of their said railroad line; and whensoever the directors of said company may deem it expedient to sell and convey said lands, the corporators named in the first section of this act, or a majority of them, shall, at their option, cause books to be opened for subscription to the capital stock of said corporation, divided into shares of one hundred dollars each, at such times and places as they determine; and it shall be lawful for any person, of lawful age, to subscribe any amount to the capital stock of said company.

Payments. § 6. The corporators of said company may require such subscriber to pay such an amount, at the time of subscribing, not exceeding five dollars on each share subscribed, as they or a majority of them may determine.

Directors. § 7. As soon as one hundred thousand dollars of the capital stock shall be subscribed, the corporators herein named, or a majority of them, shall call a meeting of the stockholders for the election of five directors, who shall be stockholders, of which meeting twenty days' notice shall be given, by publication in one or more papers, published in Marshall county; and said election shall be conducted by and under the direction of two judges, appointed by the stockholders who may be present; and the persons having a plurality of votes shall be declared elected such directors. Each stockholder shall be entitled to one vote, for every share he or she may hold, and every person entitled to vote may vote by written proxy. Whenever the sum of one hundred thousand dollars shall be subscribed, the said corporation may commence to construct and complete their said railroad.

Officers. § 8. As soon as the said five directors shall be elected they shall immediately, from their number, choose a president, secretary and treasurer, who shall hold their offices for the period of one year, and till their successors are duly elected and qualified. It shall be the duty of the secretary, whenever required by the president, to call meetings of the board of directors; and notice thereof shall be given in the manner prescribed by the president. The secretary shall keep the books of said company, and shall keep a correct record of all the acts and doings of said corporation.

Directors.

§ 9. All elections, after the first, for officers of said corporation shall be held on the first Monday of April, annually, under the direction of two stockholders, not directors at the time, to be appointed by an order of the board, at a previous meeting: *Provided*, that the said board of directors may cause elections to be held on any other day, should there be no election on that day; and all elections shall be held at the office of said company, which may be established wherever the board of directors may determine, and which said board may remove at pleasure. The directors elected as aforesaid shall continue in office for one year, and until their successors are elected and qualified, and a majority shall form a quorum to do business.

Elections.

Proviso.

Office.

§ 10. The said board of directors is hereby authorized from time to time to borrow such sum or sums of money as may be necessary for completing, equipping, furnishing, maintaining, operating or altering their said railroad, and to issue and dispose of their bonds, at any rate of interest not exceeding ten per cent. per annum, and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises, or execute deeds of trust on the same or any part thereof, or any other property or effects, rights or credits of the said company, to secure the payment of any debt contracted by said company for the purposes aforesaid, or any of them; and the directors of said company may at any time confer on the holder of any such bonds the right to convert the amount due or owing thereon into stock of said company, and any such bonds that may be sold or disposed of at a less rate than par, shall be valid and binding upon said company as if the same were sold for the par value thereof. And the capital stock and shares of said company shall be deemed and held to be personal property; and may be sold and transferred upon the books of said company in the manner and form prescribed by the by-laws.

Indebtedness.

Stock transferable, etc.

§ 11. Said company shall have the right to erect a suitable bridge for the passage of its cars across or over the Illinois river, or other navigable stream, so as not materially to obstruct the navigation thereof.

Bridge privileges.

§ 12. This act shall be deemed and taken to be a public act, and shall be construed beneficially for all purposes herein specified or intended, and shall take effect and be in force from and after its passage.

Construction of act.

APPROVED March 7, 1867.

In force March 7, 1867. AN ACT to incorporate the Danville and Indianapolis Railway Company.

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| Corporators. | <p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That R. W. Hosford, H. M. Beckwith, Joseph G. English, Eben H. Palmer, William P. Chandler, John Donlon, John C. Short, Mason M. Wright, Peter Boyer, Oliver L. Davis, and W. W. R. Woodbury, their associates, successors and assigns, be and are hereby constituted a body corporate and politic, under the name and style of "The Danville and Indianapolis Railway Company," for the purpose of surveying, locating, constructing, completing and operating a railroad from the town of Danville, in Vermilion county, Illinois, thence eastwardly to the east line of the state of Illinois, by whatever route said corporators, their successors or assigns may deem eligible, whenever said corporators, their associates, successors or assigns, shall organize in compliance with the provisions of an act entitled "An act to provide for a general system of railroad incorporations," approved November 5, A. D. 1849.</p> |
| Name and style. Purposes. | <p>§ 2. Said road, with the points above herein indicated, is hereby declared of sufficient public utility to justify the taking of private property for the location, construction and maintenance thereof, and the company is hereby authorized to take private property, for the purpose of constructing and maintaining the same in the manner prescribed in the act referred to as aforesaid.</p> |
| Lateral branch. | <p>§ 3. Said company is hereby authorized to construct and operate a lateral branch or branches, not exceeding four miles in length, from the main line, for the purpose of obtaining, carrying and transporting coal and other minerals.</p> |
| Business. | <p>§ 4. Said company is hereby authorized and empowered to form a junction with any other railroad company, which is or may hereafter be organized in the state of Indiana, or may unite and form a junction with any other railroad company which is or may hereafter be organized in the state of Illinois, running through or to, or designed to run to or through said town of Danville; and, also, to unite with any such other railroad company which is or which may hereafter be organized in the state of Indiana or the state of Illinois, upon such terms and conditions as the directors of such roads, for the time being, shall mutually agree.</p> |
| Junctions. | <p>§ 5. This act is hereby declared to be a public act, and shall be in force from and after its passage.</p> |
| APPROVED March 7, 1867. | |
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AN ACT to incorporate the Peoria and Rock Island Railway Company. In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Tobias S. Bradley, Valentine Dewein, William F. Bryan, Orrin E. Page, Vincent M. Ayres, Patrick M. Blair, Thomas J. Robinson, Cornelius Lynde, and George H. French, and their associates, successors and assigns, be and they are hereby created and constituted a body politic and corporate, by the name of "The Peoria and Rock Island Railway Company," with perpetual succession, and by that name be and are hereby made capable, in law and equity, of suing and being sued, pleading and being impleaded, defending and being defended in any court of law or equity in this state or elsewhere; and may make, have and use a common seal, and alter the same at pleasure; and shall be and are hereby invested with all powers, privileges and immunities incident to corporations for the purpose herein-after mentioned.

Corporators.

Corporate name and powers.

§ 2. The said company are hereby authorized and empowered to locate and from time to time to alter, change, re-locate, construct, re-construct and fully finish, perfect, equip and maintain a railway, with one or more tracks, from the city of Peoria, in the county of Peoria, to the city of Rock Island, in the county of Rock Island, by such route as the directors of said company may deem most feasible and eligible; and also to extend and continue said railway from said city of Peoria to some point or place in the county of Tazewell, where it may intersect or connect with the St. Louis, Chicago and Jacksonville railroad; and for this purpose said company is authorized to lay out and construct said road, in width not exceeding one hundred feet, throughout its whole length; and for the purpose of cuttings, embankments, and obtaining stone, sand and gravel, and for constructing and erecting shops, depots and other suitable, proper and convenient fixtures in connection with and appurtenances to said railway, and all necessary and proper uses, may take as much more land as may be needed for the construction, operation and security of said road.

Business powers and privileges.

§ 3. The capital stock of said company shall be one million dollars, which may be hereafter increased, by a vote of a majority of the directors of said company, to any sum requisite for the completion and fulfillment of the objects and purposes of the corporation hereby created. Said capital stock shall be divided into shares of one hundred dollars each, which shares shall be deemed personal property, and shall be transferable only in such manner and upon such terms as shall be prescribed by the by-laws of said company.

Capital stock.

Stock subscrip-
tion.

§ 4. The persons named in the first section of this act are hereby appointed commissioners for receiving subscriptions to the capital stock of the corporation, who, or a majority of them, are hereby authorized to cause books to be opened at such times and places as they may deem proper, for receiving subscriptions to said capital stock. Notice of the time and places when and where the books will be opened shall be given by publication, for at least thirty days previous to opening the same, in such newspaper or newspapers as shall be selected for that purpose by said commissioners. On opening said books, said commissioners shall attend, in person or by agents, and continue to receive subscriptions to said capital stock until the sum of one hundred thousand dollars thereof shall have been subscribed. Each subscriber shall, at the time of subscription, pay to said commissioners the sum of five dollars on each share of stock subscribed for by him; and the commissioners shall, so soon as the directors of said corporation shall have been elected, deliver to them the whole amount so received, and also all subscription books and papers belonging to said company. A majority of said commissioners may fill any vacancies that may occur in their number by death, resignation or otherwise.

Management of
business, etc.

§ 5. All the corporate powers of said company shall be vested in and exercised by a board of nine directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, and who shall hold their offices for one year, and until their successors shall be elected and qualified; and said directors, a majority of whom shall form a quorum for the transaction of business, shall elect, by ballot, from among themselves, a president and vice president, and shall have power to appoint a secretary, treasurer, and all other officers deemed necessary for the transaction of the business of said company; and may require such officers to give such security for the faithful performance of the duties of their office as the company, by its by-laws, may require. Said directors shall also have power to make all such rules, by-laws and regulations as 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 the capital stock and prescribing the duties of officers, artificers and servants, that may be employed, and for the appointment of all officers to carry on the business within the objects and purposes of said company, not inconsistent with the laws of this state.

Election of
directors.

§ 6. The first election for directors shall be holden as soon as may be after the said one hundred thousand dollars of stock shall have 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,

by publication in a newspaper, published in any one or more of the counties along the route of the said railway, as they may deem proper, at least thirty days before the day set for such organization. At the time and place appointed for that purpose the commissioners, or a majority of them, shall attend and act as inspectors of said election. The stockholders who shall be present shall proceed to elect, by ballot, nine directors, 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 times and places and in the manner prescribed by the by-laws and regulations of said corporation. Each stockholder shall be entitled to vote, in person or by proxy, one vote for every share of stock he or she may hold, *bona fide*, upon which all installments, called and due, have been paid; and a plurality of votes at any election 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.

§ 7. The directors shall have power and are required to re-open the books to fill up the capital stock of said company, and shall continue to receive subscriptions therefor until the whole amount of such capital (not subscribed before said commissioners) shall have been taken; and shall also receive subscriptions to the additional capital stock of said company, should the same be increased by said directors, pursuant to the authority herein given, at such time and places as the directors may deem expedient; and all subscriptions to the stock of said company shall be paid at such times and in such amounts, and on such conditions, as said directors may prescribe, under the penalty of the forfeiture of the stock and all previous payments thereon; and they shall give notice of the payments thus required, and of the place where and the time when the same are required to be paid, at least thirty days previous to the time when said payments shall be required to be made, by publication in such newspaper, and for such time, as said directors shall determine.

Duties of
directors.

§ 8. In case of death, resignation or removal of the president, vice president, or any director, at any time before the annual election, such vacancy shall be filled for the remainder of the year, wherein it may happen, by the board of directors; and in case of 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 company may provide. In case it should at any time happen that an election should not be made on any day on

Vacancies.

which, in pursuance of this act, it ought to be made, the corporation shall not, for that cause, be deemed dissolved, but such election shall be held at any time directed by the by-laws of said corporation.

Corporation
subscription.

§ 9. Any incorporated city, town or county on or near the line of said railway may subscribe to the capital stock of said company any sum, not exceeding one hundred thousand dollars, and may issue bonds in denominations of not less than one hundred dollars, bearing interest at the rate not exceeding ten per centum per annum, payable annually; which bonds may run any period, not exceeding twenty years, to be determined on by the county court, board of supervisors, city council, town trustees, or other proper authority issuing said bonds: *Provided*, that before said stock shall be subscribed an election shall be held, in conformity with the laws in regard to ordinary city, county or town elections, the usual notice having been given and returns to be made in the usual way, at which election a majority of the legal voters, voting on that question, shall have voted in favor of said subscription; and to this end the county court, board of supervisors, city council, town trustees or other proper authority may, from time to time, order elections, specifying the amount proposed to be subscribed; and such city, town or county is hereby authorized and required to assess and levy a sufficient tax to pay the interest accruing on such bonds, and the principal of the same, when due; which tax shall be assessed, levied and collected in the same manner as other taxes are, by law, required to be assessed, levied and collected.

Township
subscription.

§ 10. Any township under township organization, on or near the line of the said railway, may also subscribe to the capital stock of said company, in any sum not exceeding fifty thousand dollars; but no such subscription shall be made until the question has been submitted to the legal voters of the town in which the subscription is proposed to be made; and the clerk of each of said towns is hereby required, upon the presentation of a petition, signed by at least ten citizens, who are legal voters and tax payers of the township for which he is clerk, in which petition the amount proposed to be subscribed shall be stated, to post up notices in at least three of the most public places in said town, which notices shall be posted not less than ten days before the day of holding such election, notifying the legal voters of said township to meet at the usual places of voting in said township, for the purpose of voting for or against such subscriptions; which election shall be held and conducted in the manner provided by law for the election of town officers.

Duties of
supervisors.

§ 11. If it shall appear that a majority of all the voters voting on that question, have voted "For subscription," it shall be the duty of the supervisors of each of said town-

ships, that shall vote for such subscription, to subscribe to the capital stock of said railway company, in the name of the township for which he is supervisor, the amount so voted to be subscribed, and to receive from said company the proper certificates therefor. He shall also execute and deliver to said company, in the name of said township, bonds, bearing interest not to exceed ten per centum per annum, which bonds shall run for a term not exceeding twenty years, and the interest on the same shall be made payable annually, and which bonds shall be attested by the clerk of the township in whose name the bonds are issued; and it shall be his duty to make a record of the issuing of said bonds.

§ 12. It shall be the duty of the clerk of each of said townships in which a vote shall have been given for subscription, within ten days thereafter, to transmit to the county clerk of the county a transcript or statement of the vote given and the amount voted to be subscribed, and the rate of interest named in the bonds. Duty of clerk.

§ 13. It shall be the duty of the county clerk, annually thereafter, to compute and assess, upon all the taxable property returned by the assessor of each of said townships which have voted to subscribe, a sufficient sum to pay the interest on all bonds issued by the respective townships, which tax shall be extended upon the collector's books as other taxes are, and shall be collected in the same manner that other taxes are collected; and when collected shall be paid into the county treasury, as county taxes are paid: *Provided*, that when any county refuses or neglects to subscribe to the capital stock of said company, and any city, town or township within said county shall subscribe to said stock, as herein authorized, then all taxes assessed, levied and collected for county purposes, upon the real and personal property of said corporation, shall inure to the sole benefit of the city, town or township so subscribing; and when said taxes shall have been collected, they shall be passed or placed by the county treasurer to the credit of such city, town or township, in proportion to the amount subscribed by each, to be applied in payment of the principal and interest, as they may respectively become due, of any and all bonded indebtedness created by such city, town or township, for railroad purposes; and when all such indebtedness shall have been extinguished, then said taxes, so collected, shall constitute a perpetual fund, subject to the order and control of the city, town or township entitled thereto, by virtue of this proviso, which shall apply to Peoria county only: *Provided, always*, that nothing herein contained shall be construed so as to interfere with or in any manner interrupt the levy, collection or appropriation of state taxes upon the real and personal property of said corporation. Duties of county clerk.

Duty of treasurer.

§ 14. It shall be the duty of the treasurer of such counties in which townships have voted for said railway subscriptions, to pay out, on the presentation to him of the bonds issued by any townships, as aforesaid, the amount due upon each of said bonds, as interest, out of any money in his hands for that purpose, and indorse the payment upon said bonds, or take such voucher as he may prescribe. He shall also keep an account with each township of all money received and paid by him on account of said townships, which account shall at all times be open to inspection by all persons wishing to examine the same.

Township supervisors vote.

§ 15. At all elections for officers, and on all questions voted upon by the stockholders of said company, the supervisor of the township or townships who may subscribe to the stock of said company shall represent and cast the vote which said stock is entitled to, in person or by lawful proxy; and in case the supervisor is absent or unable to act, and has not appointed a person to act as proxy, then the township clerk shall be vested with the same powers as is herein given to the supervisor.

Possession of lands and real estate.

§ 16. The said 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 incorporation is granted, and may, by their agents, engineers or surveyors, enter upon, take possession of and use all such lands and real estate as may be necessary for the construction and maintenance of said railroad and the appendages and accommodations requisite and appertaining thereto; and may also receive, take and hold all such voluntary grants and donations of lands and real estate as shall be made to said corporation for the purpose aforesaid. And in case said company shall not be able, by purchase or voluntary cession, to acquire the right of way and grounds for said railroad, appendages and accommodations, and grounds of stone or gravel, for the purpose of building, ballasting or repairing the same, or any of them, and the rights of way to such grounds of stone or gravel, said company are empowered to take, condemn and use, or otherwise to lawfully obtain and use the same, respectively, under the provisions of "An act to incorporate the Mississippi Railroad Company," approved February 15, 1855, or under any of the laws of this state, now in force, in that behalf, and authorizing the appropriation of lands for right of way for such purposes.

Property in fee simple.

§ 17. The rights of way and other real estate purchased by said company, for any of the purposes aforesaid, shall be held by them in fee simple, and any such rights of way or real estate taken, condemned or appropriated, as aforesaid, shall, upon due fulfillment by said company of the conditions prescribed by law, to be by them performed or

observed, to entitle them to such property, also be held by said company in fee simple.

§ 18. The said company shall have power to borrow money, on the credit of the company, at a rate of interest not exceeding ten per centum per annum, payable semi-annually; and may execute bonds therefor, with interest coupons thereto annexed, and secure the payment of the same by mortgage or deed of trust on the whole or any part of said railway, property, income and franchises of the company then existing, or thereafter to be acquired; and may annex to said mortgage bonds the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders, if such election be signified in writing to the company three years before the maturity of said bonds. Indebtedness.

§ 19. The directors of said corporation are hereby authorized to negotiate and sell the bonds of the said company at such times and in such places, either within or without this state, and at such rates and for such prices as will, in their opinion, best advance the interests of the said company; and if said bonds are so negotiated or sold at a discount, below their par value, such sale shall be as valid and binding on the said company, in every respect, as if they were sold or disposed of at their par value. To issue bonds.

§ 20. The said company, in securing the payment of said bonds by mortgage or deed of trust on the road, property, income and franchises of said company, shall have power to execute a mortgage or deed of trust aforesaid, to secure the payment of the full amount of bonds which the company, at the time the said mortgage or deed of trust bears date, or at any time thereafter, desired to sell and dispose of; and may execute and sell, from time to time, such amount of said bonds and of such dates, and payable to such persons, as the directors of said company may deem advisable, till the whole amount of bonds mentioned in such mortgage or deed of trust is executed and sold; and the said mortgage and deed of trust shall be as valid and effectual to secure the payment of the bonds, so executed and sold, and every part thereof, as if the same and every part thereof had been executed with even date with said mortgage and deed of trust. Mortgages and deeds of trust.

§ 21. Whenever it shall be necessary for the construction of said railway, to intersect or cross the track of any other railway, or stream of water, or water-course, road or highway, on the route of said railway, it shall be lawful for the company to construct their railway upon the same: *Provided*, that the said company shall restore the railway, stream of water, water-course, road or highway, thus intersected or crossed, to its former state, or in a sufficient manner not materially to impair its usefulness: *And provided*, further, that for the purpose of extending said railway into

Crossings, etc.

the county of Tazewell, as authorized by section 2 of this act, said corporation may construct and maintain a draw-bridge, or such other kind of form of bridge, across the Illinois river, as shall be sufficient to subserve the purpose of said railway, and shall not materially obstruct the navigation of said river.

Penalties for obstructing passage of cars, and destruction of property, etc.

§ 22. If any person or persons shall willfully or negligently do, or cause to be done, any act or acts whatever, whereby the said railway or any part thereof, or any building, construction or work of said company, or any engine, machine, structure or matter or thing appertaining to the same, shall be stopped, obstructed, weakened, impaired, injured or destroyed, the person or persons so offending shall forfeit and pay to the said company treble the amount of the damage sustained by reason of such offense, to be recovered, with costs of suit, in the name of said company, by action of debt; and such offender or offenders shall be deemed guilty of a misdemeanor, and be subject to indictment and punished as in other cases.

Consolidations.

§ 23. The said company is hereby authorized to unite or consolidate its railway stock and property with that of any other railway company or companies whose line or lines of road may intersect or connect, by continuous lines, or at either terminus, or at the terminus of the extension herein authorized, or which may be on or near the line thereof; or it may purchase, lease, sell or make any arrangement it may deem proper with any such railway company, or with any other company whose line of road may form a continuous line with the railway hereby authorized, to or from either terminus; and in the event of consolidation, the companies so consolidating may take upon themselves any name and style of designation they may think proper; and they shall be vested with all powers, privileges and franchises of each or both or all of the companies, and may borrow money upon mortgage or deed of trust upon the property of one or all of said companies, at their option: *Provided*, that this section shall not be so construed as to allow any consolidation or arrangement with any other company which will materially divert the road herein authorized to be built from the line herein contemplated.

Business and operations.

§ 24. The said company may take and transport, on said railway, any person or persons, merchandise or other property, by whatever motive or propelling power and force it may deem proper, and may fix, establish, take and receive such rates of toll or freight, for all passengers and property transported upon the same, and for the storage of merchandise and other property under their charge, as the directors, from time to time, shall establish, and shall have power to provide all necessary stock and materials for the operation of said railway; and shall have power to erect and maintain all necessary depots, stations, shops and

other buildings and machinery for the accommodation, operation and management of said railway.

This act shall be deemed a public act, and shall be favorably construed for all purposes herein expressed and declared, and shall be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Grafton and Alton Railroad Company.

In force March
7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Isaac Scarritt, William H. Allen, Silas Farrington, William V. Shephard and Henry O. Goodrich, and their associates and successors, are hereby created a body corporate and politic, under the name and style of "The Grafton and Alton Railroad Company," with perpetual succession; and under this name shall be capable of suing and being sued, pleading and being impleaded, defending and being defended against in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons; may have and use a common seal, and alter or renew the same at pleasure; and by their said corporate name and style shall be capable, in law, of contracting and being contracted with; shall be and are hereby invested with all the powers, privileges, immunities and franchises, of receiving and disposing of real and personal estate, which may be needful to carry into effect, fully, the purposes and objects of this act. And said company are hereby authorized and empowered to locate, construct and complete a railroad, commencing at or within the limits of the town of Grafton, in the county of Jersey, to and within the limits of the city of Alton, in the county of Madison.

Corporators.

Name and style.

Powers.

Line and route
of road.

§ 2. The capital stock of said company shall consist of four hundred thousand dollars, and may be increased by said company to one million dollars, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in seven directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office one year after their election, and 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 number to be president of the company, and shall have power to appoint or elect such other officers as they shall deem proper.

Capital stock.

Business pow-
ers and privi-
leges.

§ 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a railroad, as aforesaid, with all necessary side-tracks, turn-outs, switches, depots, stations and all necessary buildings, erections and structures; and for this purpose they are hereby vested with all the powers necessary for the purchasing, taking, holding and selling and transferring property, real and personal, as natural persons, as the board of directors may deem necessary to carry out the objects of this act.

Examinations
and surveys.

§ 4. The said corporation is hereby authorized, by their agents, surveyors and engineers, to cause such examinations and surveys to be made of the grounds and the country as shall be necessary to determine the most desirable route whereon to construct their said railroad; and it shall be

Possession of
lands.

lawful for said company to enter upon and take possession of and use all such lands and real estate as will or may be necessary for the construction and maintenance of the said railroad, its depots, side-tracks water stations and engine houses, machine shops, and other buildings and appendages necessary to the construction of said railroad: *Provided*, that all lands or real estate entered upon and taken possession of by said company or corporation, for the purpose and accommodation of said railroad, or upon which the site for said railroad shall have been located or determined by said corporation, shall be paid for by said company in damages, if any be sustained by the owner or owners thereof, by the use of the same for the purposes of said railroad; and all lands, entered upon and taken for use of said corporation, which are not donated to said company, shall be paid for by said corporation at such times as may be mutually agreed upon by the said corporation and the owner or owners of such lands; and in case of disagreement, the price shall be estimated, fixed and recovered in the manner provided for taking lands for the construction of public roads, canals, or other public works, as prescribed by the act concerning the right of way, approved March 3, 1845; or any other laws of this state, in aid or amendment thereof, for condemning the right of way for the purposes of internal improvement.

Proviso.

Connections, etc

§ 5. Said company shall have power to unite or connect its railroad with any other railroad constructed, or which may be constructed, in this state, upon such terms as may be agreed upon between the companies so uniting or connecting; and for that purpose, full power is hereby given to said company to make and execute such contracts, with any other company, as will secure the objects of such connections, by lease or otherwise.

Indebtedness.

§ 6. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing, operating and maintaining their said railroad, and to issue and

dispose of the bonds at such rate of interest and at such discount, as may be thought for the benefit of the company; and to mortgage their corporate property and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company, for the purpose aforesaid; and the said directors of said company may confer on any bondholder of any bond issued, for money borrowed, as aforesaid, the right to convert the principal due or owing thereon into stock of said company, at any time; and may further authorize the holder of any such bond to vote at any and all elections for the election of officers of said corporation, under such regulations as the directors of said company may see fit to adopt; and any such bonds, that may be sold or disposed of at a less rate than par, shall be as valid and binding upon said company as if the same were sold for the par value thereof.

§ 7. All the corporate powers of said company shall be vested in and exercised by a board of directors, to consist of seven members, and such officers, agents and servants as they shall appoint. Vacancies in all the board of directors may be filled by a vote of two-thirds of the directors remaining, such appointees to continue in office until the next annual election of directors; which said annual election shall be held at such time and place as may be designated and fixed by the by-laws of said company, thirty days' printed notice being given in two newspapers having circulation along the line of said railroad.

Directors, officers, etc.

Vacancies—
how filled.

Elections.

§ 8. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of them, after notice being given, shall meet and proceed to open books and receive subscriptions to the capital stock of said company; and whenever fifty thousand dollars shall have been subscribed, the subscribers may organize said corporation, and proceed to the election of directors; and when the directors of said company are chosen, the said commissioners shall deliver the said subscription books, with all sums of money received by them as commissioners, to said directors. No person shall be a director who shall not be a stockholder, and each stockholder shall be entitled to one vote for each share of stock he shall hold, upon which all calls have been paid. The directors of said company, after the same is organized, shall have power to open books to fill up the capital stock of said company, or any part thereof, at such time as they may deem expedient; and all installments required to be paid on the stock originally subscribed, or what may be taken to increase said capital, shall be paid at such times and in such amounts as said directors may prescribe.

Commissioners
—duties of.

§ 9. That the right of way, and the real estate for the right of way and for the purpose aforesaid, purchased and acquired by said company, whether by agreement or otherwise, or

Property in fee
simple.

which shall become the property of the company by operation of law, as in the act provided, shall, upon the payment of the money agreed or adjudged to be paid to the owner or owners of said land, as a compensation for the same, become the property of said company in fee simple.

Railroad
subscription.

§ 10. Any railroad company, with whose road the aforesaid road may intersect or connect, is hereby authorized and empowered to subscribe to the capital stock of this company any sum, not exceeding five hundred thousand dollars; and shall have the same rights, privileges and powers as other stockholders in this company, and shall be subject to the same conditions, restrictions and limitations as other stockholders therein.

Stockholders'
liabilities.

§ 11. No stockholder, whether corporate or natural person, shall be otherwise liable upon his, her or their subscriptions of stock than for the amount of their respective subscriptions of stock to said company, and according to the calls of the directors, as herein provided

Evidence of
by-laws, etc.

§ 12. The certificate of the secretary of said company, under the seal of said company, shall be received in all courts and places as evidence of their rules and by-laws, of the appointment of agents and officers, of any order of said company or their directors, and, also, of the organization of said company.

Construction of
act.

§ 13. This act shall be deemed a public act, and is hereby declared and shall be favorably construed for all purposes herein expressed, and declared in all courts and places whatsoever; and shall be in force from and after its passage.

APPROVED March 7, 1867.

In force Feb'y 6, 1867. AN ACT to authorize the board of supervisors of Fulton county to make an appropriation to aid in extending the Peoria and Hannibal Railroad through the county, and to levy a special tax for the payment of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of the county of Fulton be and they are hereby authorized to appropriate to the Peoria and Hannibal Railroad Company a sum, not exceeding fifty thousand dollars, the same to be used in building and completing the said railroad from Lewiston, in said county, to the town of Vermont, and for the purpose of paying said appropriation, they are also authorized to levy a special tax on all the taxable property in said county, both real and personal, and at such time and in such amount as said board may determine. Said tax shall be collected at the same time and in the same manner as other taxes are collected.

Appropriation—
amount of—
use of.

Taxes.

How collected.

§ 2. That for the payment of said appropriation, the county clerk of said county is hereby authorized and required to issue bonds of said county, in such sum or amount, with such rate of interest, and payable at such time or times, as said board of supervisors may determine, and to pledge the faith of said county to the payment of the same; which bonds may run any period not exceeding ten years. Bonds.

§ 3. This act to be in force from and after its passage.

APPROVED February 6, 1867.

AN ACT to amend an act entitled "An act to incorporate the St. Louis, Vandalia and Terre Haute Railroad Company." In force February 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the corporation heretofore organized and known as "The St. Louis, Vandalia and Terre Haute Railroad Company," by virtue of an act approved February 10, 1865, shall have all the powers, rights, privileges and immunities which have been heretofore granted, and such other powers, rights, privileges and immunities as are hereinafter provided for; and all subscriptions, donations or gifts to the capital stock of said railroad company, whether made by individuals, townships, counties or corporations, shall be and are, by this act, legalized, and the said company are hereby empowered and authorized to collect and use the same: *Provided*, that the general route of the said railroad shall not be changed: *And, provided, further*, that if the said railroad company shall find it impracticable to reach the west bank of the Wabash river for its eastern terminus, as provided for by the act of which this is an amendatory act, it shall be lawful for said company to make the state line, at any practicable point in the direction of the city of Terre Haute, in the state of Indiana, its eastern terminus. Privileges, etc.
Stock subscriptions.

§ 2. That all damage which shall be done to any lands or property, under the provisions of this act or of the act of which this is an amendment, shall be ascertained and paid for in the manner hereinafter provided; and when such damage shall have been paid for or tendered, the title to the said lands or property shall vest in fee simple in said railroad company. It shall be the duty of any judge of a circuit or county court of this state, upon application of the said company, either in term time or vacation, at the cost of said company, to appoint three disinterested persons, residing in the county where such lands are situate, not of kin to the owner or owners thereof, whose duty it shall be Damages.
Property in fee simple.

Lands taken.

to view and examine all the lands or property taken in said county, with the buildings and improvements, if any, thereon, and to estimate the value of the same, and all damages which the owner or owners thereof shall sustain, or may have sustained, by reason of the taking of the same for construction and benefit of said railroad, or works appertaining thereto—taking into consideration the advantages as well as the disadvantages of the same, by means of the construction and operation of said road, to the said owner or owners; and when said persons, who shall be called commissioners, are so appointed, they shall act in all cases arising, in said county, requiring the action of commissioners. But if, for any cause, either or all of said commissioners shall decline or become disqualified to serve, or their place or places become vacant, such vacancy or vacancies shall be filled in the same manner as provided for the original appointments. It shall be the duty of said company to give five days' notice of their application for the appointment of such commissioners, said notice to be by publication in some newspaper published in the county where said lands are situated, or if no newspaper be printed in said county, then in some newspaper published on the line of the road, in the nearest adjacent county seat; and the certificate of the publisher or printer shall be legal evidence of such publication. The commissioners, so appointed, before entering upon the discharge of their duties, shall take an oath, before some officer authorized to administer oaths, faithfully and according to their best abilities to examine the several pieces or parcels of lands or property so taken or acquired by said company, and impartially to estimate and appraise the value of the same, and the damage or injury which the owner or owners of each piece or parcel thereof shall have sustained or may sustain by reason of the taking and using thereof, by the said railroad company, over and above the benefits and advantages which said owner or owners shall or may derive from the construction of such railroad. Thereupon such commissioners shall proceed to examine the premises, and estimate the value of such lands and property, and the amount of damages, if any, over and above the benefits and advantages which may accrue to such owner or owners, as aforesaid; and shall make a report, in writing, of such valuation of damages, if any, under their hands and seals, to the clerk of the circuit court of the county where the land lies, and shall return the same within ten (10) days after making their appraisal; and it shall be the duty of said clerk to file the same. And in case no appeal shall be made, within twenty days after the filing of the said report, as herein-after provided, then the said clerk shall record the same, at the expense of said company, and judgment of the said court shall be entered thereon, either in term time or va-

Commissioners
duties of.

Duties of
county clerk.

cation, on motion of either party, for the amount of damages so reported: *Provided*, that either party may appeal to the circuit clerk of the county in which said lands shall lie, within twenty days after said report shall have been filed in the clerk's office of said court, and such appeal shall be tried in the same manner as other issues are tried in said court; and the jury empaneled to try the same shall find the value of the land, so taken or required by said company, and the damages which the owner or owners thereof shall have sustained or may sustain, by the taking of the same, over and above the benefits which will accrue to such owner or owners from the construction of such railroad; and the judgment of the court shall be entered for the actual damages sustained. Such appeal shall be taken by giving notice thereof to the clerk of the said court, in writing; and thereupon the clerk shall enter the same upon the docket of said court, setting down the railroad company as defendant and the said claimant or claimants as plaintiff:

Provided, also, that it shall not be lawful for the said commissioners or the said court to proceed in the assessment of damages, or in the valuation of lands or materials, as aforesaid, in the absence of the owner or owners thereof, his, her or their agents or attorneys, unless it shall be shown to them, by competent testimony, that the said owner or owners are non-residents or are absent from the state of Illinois, or that the said owner or owners have had at least five days' notice, in writing, of the time and place at which such assessment or valuation was to be made—which notice shall be served at their last or usual place of residence, with some person of suitable age and discretion; and if the said owner or owners shall be minors or *non compos mentis*, the service of the notice may be made on their guardian or trustee, if there be any, or in such manner as the court or judge appointing said commissioners shall direct; and if said owner or owners shall be non-resident or absent from the state, or his residence unknown, the service of the notice may be made by publishing the same in a newspaper, in said county, for two successive weeks: *Provided, also*, that upon the making and filing of any report, as aforesaid, and the payment or tender of the amount of any valuation or appraisal, specified therein, to the owner or owners of any such lands, his, her or their legal representatives, or on the payment of the amount of such valuation or appraisal to the clerk of the court, to which any appeal under this act may have been taken, to abide the issue of such appeal, the said company, their agents, or the contractors for making or repairing said railroad, may immediately take and use the same, without awaiting the issue of any appeal brought thereon. Whenever any judgment shall have been entered, as hereinbefore provided, for the value of any lands, or for any damages for the taking and using

of the same, and the amount specified in such judgment shall have been paid or tendered to the owner or owners of such lands, his, her or their legal representatives, on the payment of the amount specified in such judgment or in such report of the commissioners to the clerk of the court to which any appeal under this act may have been taken, the said company shall be entitled to the said lands in fee; and if such valuation be not received, when tendered, it may at any time thereafter be received or may be collected from said company, without interest, by action at law, at the cost and expense of the person or persons entitled to the same: *Provided*, such valuation shall not have been paid to the clerk of the court in which such appeal may have been taken: *And, provided*, that the costs of any proceedings and judgments, specified in this act, shall be taxed by the court and paid by the said company, except in cases where, upon appeal, the verdict of the jury shall be for the same, or a less sum than that reported by the said commissioners.

Proviso.

Possession of
lands.

§ 3. The said company, and under their direction, their agents, servants and workmen, are hereby authorized and empowered to enter into and upon the lands and grounds of and belonging to the state, or to any person or persons, bodies politic or corporate, and survey and take levels of the same or any part thereof, and to lot out and ascertain such parts as they may deem necessary and proper for making said railroad, with one or more tracks; and for all the purposes connected with said railroad, to take and appropriate any lands, to fell and cut down all timber and other trees standing or being within seventy-five feet on each side of said railroad—the damage occasioned by the felling of said trees, unless otherwise settled, to be paid in the manner hereinbefore provided for damages for lands taken for the use of said railroad company; and, also, to make, build, erect and set up, in and upon the route of said railroad, or upon the land adjoining the same, all such works, ways, roads and conveyances as may be required for the purposes of said railroad; also, from time to time, to alter, repair, widen, amend or enlarge the same, as deemed necessary by said company—the said company doing as little damage as possible in the exercise of said powers hereby granted, and making satisfaction, in the manner hereinbefore mentioned, for all damages to be sustained by the owners or occupiers of the said lands.

Subscription.

§ 4. The said corporation are hereby further authorized to receive any subscriptions, donations or gifts to the capital stock of said company, either in money, lands, labor, materials, cars, locomotives or other articles, personal or real, adapted to the construction or operation of said railroad, or any property that, in the opinion of the board of directors, may be exchanged or converted to such use, and

upon receiving full payment, in manner aforesaid, of any such subscription of stock, may issue to such subscriber or subscribers certificates of stock therefor.

§ 5. The several counties in which any part of said railroad has or may hereafter be located, or that may lie on or near the line of said road, and the several townships in said counties which have adopted or may hereafter adopt township organization, and the cities and incorporated towns in said counties, are hereby authorized to subscribe and take stock in said company.

Corporation
subscription.

§ 6. Elections may be held in any such county, township, city or incorporated town upon the question whether such county, township, city or town shall subscribe for any specified amount of stock of said company, not exceeding one hundred thousand dollars; and elections shall be held in any such county, township, city or town as often as a petition shall be presented, as hereinafter specified, until such county, township, city or town shall have subscribed for the full amount of stock authorized by this act.

Elections to de-
termine sub-
scription.

§ 7. Whenever a petition shall be presented to the county clerk, signed by fifty legal voters of any such county, setting forth the amount of stock proposed to be taken by any such county, and specifying the time for holding such an election, it shall be the duty of the county clerk of such county to give ten days' notice of the time of holding such election, which shall be the same time as that specified in such petition; and whenever a petition shall be presented to the supervisor of any such township, or to the corporate authorities of any such city or town, signed by twenty-five legal voters of any such township, city or town, setting forth the amount of stock proposed to be taken by any such township, city or town, and specifying the time for holding such election, it shall be the duty of the supervisor of every such township and the duty of the clerk of every such city or town to give ten days' notice of the time of holding such election in such township, city or town, which shall be the same time as that specified in such petition—which said notice or notices shall be given in the same manner, and such election or elections shall be conducted in the same mode and at the places provided for holding general elections in such counties, townships, cities and towns; at which election or elections the qualified voters of the respective counties, townships, cities and towns shall vote "For subscription," or "Against subscription;" and the returns of such election or elections shall be made to the county clerk, in the same manner and within the same time, and shall be by him opened and declared in the same manner as for elections held for state and county officers; and if a majority of the votes cast at such election, by voters voting on that subject, shall be "For subscription," it shall be the duty of the county court or board of supervisors of every such

Petitions for
elections.

Duty of super-
visor.

Manner of hold-
ing elections.

Returns of

Declared.

Duties of county clerks, etc.

county, the supervisor and clerk of such township, and the corporate authorities of such city or town to subscribe, without unnecessary delay, upon the request of said company, for stock in said company to the amount so voted for, and to issue and deliver to said company the same amount as the stock so subscribed, of the bonds of such county, township, city or town, as the case may be, payable at any time specified, not exceeding fifteen years from date, or sooner, at the option of the county, township, city or town issuing the same, with interest, by coupons attached, for the same, at a rate not exceeding ten percent. per annum, payable annually; which said bonds and interest accruing thereon, shall be made payable at such place, within the United States, as said company may request: *Provided*, that at any election, held under the provisions of this act, at any other time than the time for holding general elections for state or county purposes, it shall not be necessary for the several boards of registry to make a new register of the several voting precincts, but the register made of the legal voters at the last general election held for the election of state or county officers may be used: *Provided*, that any legal voter whose name does not appear on said register, shall be received and taken in the same manner that unregistered legal voters' votes are received at any general election.

Proviso.

Special taxes.

§ 8. It shall be the duty of the respective authorities of the several counties, townships, cities and towns which may vote such subscription and they are hereby required to levy and collect a sufficient special tax on all the taxable property, both real and personal, in such counties, townships, cities and towns, to pay the interest annually accruing on such bonds, and to liquidate the principal of said bonds within the time specified in the same for their payment; and this provision shall apply as well to any vote taken by any county, township, city or town on the line of said railroad, for taking stock in the same, previous to the passage of this act, as for stock taken under the provisions of this act. Said tax shall be levied on the assessments made by the assessors of their respective counties, townships, cities and towns, as provided by the revenue laws of this state for assessing property, and shall be extended on the collector's books of such county, township, city or town as a special railroad tax, and collected by the respective collectors of such counties, townships, cities and towns at the same time and in the same manner as provided by law for collecting state and county tax; which said tax shall be paid by the respective collectors to the county treasurer of the county in which the tax is collected, deducting therefrom one per cent., only, for collecting; and the said county treasurers shall be respectively liable, on their bonds, for the faithful application of said tax to the payment of the interest and principal of the bonds for which said tax was

How levied—
collection of.

Fees.

Application of.

levied and collected to pay, and shall receive therefor, in full compensation, a commission of one per cent., only, for receiving and paying out said tax. The corporate authorities of the respective counties and townships shall certify to the county clerk of the proper county the rate per cent. to be levied for each year, for such special tax, and the said county clerk shall extend on the collector's books for such county or township, as a special railroad tax, at the rate so certified for each year, in the same manner and on all the property on which state and county tax is extended, and shall receive the same pay therefor as for like service for state and county purposes; and the respective authorities of such cities and towns shall levy and collect such special railroad tax in the same manner as other tax is levied and collected in and for such cities and towns: *Provided*, that in case the said authorities for any such county, township, city or incorporated town shall fail to certify to such clerk the rate per cent. to be levied for any year, before the time required by law for said clerk to extend state and county tax, or shall certify to a less amount than will pay the same, then the said county clerk shall extend such tax as will pay the interest and principal due for such year on all such bonds so issued by the respective counties, townships, cities and incorporated towns.

Extension of.

Proviso.

§ 9. Whenever it shall be necessary, for the construction of said railroad, to intersect or cross the track of any other railroad, or to cross any stream of water, or water course, or road, or highway, lying on the route of said road, it shall be lawful for the company to construct their railroad across, upon or by the side of the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, road or highway thus intersected, traversed or crossed to its former state, or in a sufficient manner not to materially impair the same in its usefulness: *Provided*, that whenever it shall become necessary for said railroad company to cross the track of any other railroad company, now built or which may be hereafter constructed, the expense of putting in and building such crossing shall be paid and shared equally by and between the two companies so connecting or intersecting each other.

Crossings, etc.

§ 10. It shall be lawful for the incorporate authorities of any incorporated city or town, through which said railroad shall be located, to donate or lease to said railroad company, as a right of way, the right to lay a single or double track through said city or incorporated town, or any portion of the same, on any street or highway that the said railroad company shall select for that purpose—said lease or permit to be unchangeable and perpetual, except at the option of said railroad company.

Right of way.

§ 11. Said company shall have power to contract for the building of said railroad, or any portion thereof, by their

Business powers.

president, with the consent and approval of the board of directors or a majority of them; and power to purchase, contract for and place on the said railroad, heretofore and hereby authorized to be constructed, all machines, machinery, rolling stock and other property which they may deem necessary and proper for building or operating said railroad; and power to transport or carry upon said railroad, by force and power of steam, animals or any combination of them; and may fix, establish take and receive such rates of toll, for all passengers and property conveyed or transported upon the same, as the directors shall from time to time establish; and shall carry and transport the mails of the United States on such terms as may be agreed upon.

Stock.

§ 12. The stock of said company shall be deemed personal property, and may be issued, certified, transferred and registered in such manner and at such places as may be ordered and provided by the board of directors, who shall have power to require the payment of stock subscribed in the manner and at the time and in such sums as they may direct; and on the refusal or neglect, on the part of the stockholders or any of them, to make payment on the requisition of the board of directors, the shares of stock delinquent or so unpaid may, at the option of the said board of directors, after thirty days' public notice, be sold at public auction, under such rules as the directors may adopt, the surplus money, if any, remaining, after deducting the payment due, with interest and cost of sale, to be paid to the delinquent stockholder.

Connections.

§ 13. Said company shall have power to consolidate and connect its railroad with any other continuous line of railroad now constructed or which may be hereafter constructed, either in this state or in the state of Indiana, upon such terms as may be agreed upon between the companies so connecting or uniting; and for that purpose full power is hereby given to said company to make and execute such contracts with any other company as will secure the object of said consolidation or connection.

Indebtedness.

§ 14. Said railroad company are hereby authorized to borrow money, from time to time, on the credit of said company, at any rate of interest, not exceeding ten per cent. per annum, as may be agreed upon between the parties, for the sole purpose of constructing said road and furnishing the same with cars, locomotives and other machinery necessary to carry on the operations of said company, and may issue its corporate bonds therefor in denominations of not less than five hundred dollars, with coupons attached for the interest; and to secure the payment thereof, with the interest that may accrue thereon, may mortgage their corporate property or franchises or both, or may convey the same by deed of trust for said purpose. And they may, by their president or other officers or agents, sell, dispose of

or negotiate such bonds or the stock of said company at such times and places, either within or without this state, and at such rates, and for such prices, as, in their opinion, will best advance the interests of said company; and if such bonds or stocks are sold at a discount, such sale shall be as valid and binding, in every respect, as if sold at par value: *Provided*, that the total amount of first mortgage bonds of said company shall not exceed, in amount, the sum of twelve thousand dollars per mile of the said railroad constructed or to be constructed.

§ 15. The directors of said company may confer on any bondholder of any bonds, issued for money borrowed as aforesaid, the right to convert the principal due or owing thereon into the capital stock of said company, at any time not exceeding ten years from the date of the bond, under such regulations as the directors of said company may see fit to adopt. Conversion of
bonds into cap-
ital stock.

§ 16. The said company shall, annually or semi-annually, make such dividends as they may deem proper of the net profits, receipts or income of said company among the stockholders, in the proportion to their respective shares. Dividends.

§ 17. All the corporate powers of said company shall be vested in and exercised by the board of directors, a majority of whom shall constitute a legal quorum for the transaction of all business; and they shall have power to appoint such other officers, agents or servants as they may deem necessary. Vacancies in the board may be filled by a majority of those remaining—such appointees to continue in office until the successors of the then board shall be qualified. The annual election of directors shall be held on the second Tuesday in January, in each year, at such place as the directors may direct—twenty days' notice being given by publication in one or more newspapers on or near the line of said road: *Provided*, that the present board of directors and officers, consisting of John Schofield, Samuel W. Quinn, J. F. Alexander, Frederick Remann, William S. Smith, William S. Wait, Henry Weinheimer, Joshua S. Peers and J. P. M. Howard, directors; J. P. M. Howard, president; Williamson Plant, secretary; and Wm. S. Smith, treasurer, (whose election, qualification and acts, as well as those of the preceding board, are hereby legalized,) shall hold their respective offices until their successors are chosen and qualified. And said board of directors shall have power to change its president, secretary or treasurer at pleasure, at any regular or special meeting of the board: *Provided*, a majority of the nine directors vote for such change. Directors.

Duties of.

Proviso.

§ 18. At any election, held for choosing directors or for other purposes, each share of stock shall be entitled to one vote, to be given either in person or by proxy. Each person shall be voted for directly, and those receiving the highest number of votes shall be declared duly elected, and Proviso.

Election for
directors, etc,

shall hold their offices until the next annual election, and until their successors are elected and qualified. All elections of directors to be conducted by three judges, to be selected by the stockholders present; and at all such elections, and on all questions voted upon by the stockholders of said company, all stock subscribed for and owned by any county, township, city or incorporated town, in the manner hereinbefore provided, may be represented and voted by such person or persons, or his or their proxy, as the proper authorities of the respective counties, townships, cities and incorporated towns shall designate or appoint.

Regulation of
business.

§ 19. The board of directors shall have power to control and regulate the manner of transportation of persons and property, the width of track, the construction of wheels, the form and size of cars and locomotives, the weight of loads, and all other matters and things respecting the use of said road and the conveyance of persons and property thereon, and shall have power to make, ordain, establish and execute all such by-laws, rules and regulations as they may deem expedient and necessary to fulfill the purposes and carry into effect the provisions of this act, and for the well ordering and securing the affairs, business and interests of said company: *Provided*, that the same be not repugnant to the constitution and laws of the United States or of this state.

Proviso.

Evidence of
organization.

§ 20. The certificate of the secretary of said company, under the corporate seal thereof, shall be received in all courts of justice and elsewhere as evidence of the regular organization of said company under its charter, and of any act or order of the board of directors of said company.

Construction of
act.

§ 21. The corporate rights, privileges and franchises of said company, as granted, are hereby declared to be in full force and effect, and shall be liberally construed for all purposes sought to be obtained.

§ 22. This act to take effect from and after its passage.
APPROVED February 8, 1867.

In force Feb'y 14, 1867. AN ACT to amend the charter of the Belleville and Southern Illinois Railroad Company, approved February 14, 1857, and the several acts amendatory thereto.

Amendments.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section eighteen of the above named charter, and section three of an act amendatory thereof, approved February 21, 1861, be so amended as to extend the time for beginning the

work on said road until February 14, 1870, and the completing of the same to February 14, 1875.

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

APPROVED February 14, 1867.

AN ACT to authorize a portion of the citizens of Madison county, Illinois, to subscribe to the capital stock of certain railroads and improvements therein named. In force Feb'y 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the county court of Madison county, Illinois, at the earliest practicable period, to submit to a vote of the legal voters of that part of said county lying and being south of the line dividing sections No. twenty-four (24) and thirteen (13), in township No. five (5) north of range No. (5) west, of the third principal meridian, running from thence west to its intersection with the Mississippi river, the question whether they will or not subscribe one hundred thousand dollars, in manner following, to-wit: To the capital stock of the Madison County Railroad, running from Edwardsville, west, to intersect with the St. Louis, Alton and Terre Haute Railroad, or the Alton and St. Louis Railroad, or the Mississippi river, the sum of forty-five thousand dollars; also, to the capital stock of the St. Louis, Vandalia and Terre Haute Railroad, by way of Highland, in said county, or any other railroad running through the southern part of said county, connecting East St. Louis and said town of Highland, the further sum of forty-five thousand dollars; also, to connect Marinatown, in said county, with said last mentioned railroad, either by a railroad, a plank road or a macadamized road, the further sum of ten thousand dollars: *Provided*, that a new registry of voters shall not be required for said election, but the register of electors made for the last general election shall be taken and used for said special election: *And, provided, further*, that voters whose names shall not be registered may vote in the manner prescribed by the election law for non-registered voters.

Duty of county court.

Stock subscription.

§ 2. The county court of said county may hold a special term for giving the notice under this act, which shall be published in all the newspapers printed in the county, fixing the day of election at least twenty days distant, and stating the propositions to be voted for or against, and the portion of the county the citizens of which will be entitled to vote. Elections.

§ 3. The election shall be conducted and returns made in the same manner as in general elections held under the Returns of.

laws of this state; but when an election precinct shall be divided by the line above stated, and the place of voting shall be situated north of said line, the voters under this act may and shall be allowed to cast their votes at the nearest voting precinct south of said line.

Form of ballots. § 4. The ballots shall be inscribed with the words "For the subscription" or "Against the subscription;" and if a majority of the ballots cast shall be in favor of the subscription, the county court shall issue its bonds and subscribe stock in said roads and enterprises, to be placed in the hands of responsible persons as trustees, to be delivered up to the respective companies upon satisfactory assurance of the completion of said roads and enterprises, respectively.

Bonds. § 5. The said bonds shall not bear more than ten per cent. per annum interest, nor be in denominations less than one hundred dollars, and redeemable in not more than ten years, payable, interest and principal, at such place as the said county court shall direct and prescribe.

Interest on. § 6. In case the above subscription should carry, and the bonds be issued and delivered as herein contemplated, the said county court shall have power and it shall be its duty to levy and collect, from the people and property within the above described territory, according to law, in addition to other county taxes and assessments, an amount sufficient to pay the annual interest upon said indebtedness, and also to create a sinking fund for the extinguishment of the principal; which tax shall not exceed fifty cents on the one hundred dollars' worth of property per annum. Said tax shall be levied, assessed and collected as in other cases.

Sinking fund. § 7. This act shall take effect and be in force from and after its passage.

APPROVED February 8, 1867.

In force Feb'y 15, 1867. AN ACT to incorporate the Vincennes and Pana Railroad Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Reavell, James H. Steels and William C. Wilson, of the county of Crawford; Joseph Cooper, Isaac H. Walker, and William C. Jones, of the county, of Jasper; Daniel Rinehart, William B. Cooper, and R. A. Howard, of Effingham county; Craig White, J. C. Helmack, and D. D. Shumway, of Christian county, and their successors and associates, are hereby created a body corporate and politic, under the name and style of "The Vincennes and Pana Railroad Company," with perpetual succession; and under this

Name and style.

name and style shall be capable of suing and being sued, pleading and being impleaded, defending and being defended against in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons; may make and use a common seal, and alter or renew the same at pleasure; and by their said corporate name and style shall be capable, in law, of contracting and being contracted with, shall be and are hereby invested with all the powers, privileges, immunities and franchises of receiving and disposing of real and personal estate, which may be needful to carrying into effect, fully, the purposes and objects of this act; and said company are hereby authorized and empowered to locate, construct, and complete a railroad, commencing at or near the Ohio and Mississippi Railroad, at such point as said company may think the interests of the road requires, west of Vincennes and east of Lawrenceville, in Lawrence county, Illinois; thence to Robinson, in Crawford county; thence to Newton, in Jasper county; thence to Effingham, in Effingham county; thence to Pana, in Christian county, Illinois, with one or more tracks or lines of rails.

§ 2. The capital stock of said company shall consist of one million of dollars, and may be increased by said company to any sum sufficient to complete said railroad, to be divided into shares of fifty dollars each. The immediate government of said company shall be vested in seven directors, which may be increased to nine, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office one year, and 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 number president of said company, and have the power to appoint or elect such other officers as they shall deem proper. Capital stock.

§ 3. The corporation hereby created shall have power to locate, construct, finish, maintain and operate a railroad, as aforesaid, with all the necessary side-tracks, turn-outs, switches, depots, stations and all necessary buildings, erections and structures; and for this purpose they are hereby vested with all the powers necessary for the purchasing, taking, holding and selling, transferring property, real and personal, as natural persons, as the board of directors may deem necessary to carry out the objects of this act. Corporate powers.

§ 4. For the purpose of acquiring the rights of way for the construction of said road, side-tracks, turn-outs and grounds for depots, stations and other buildings, erections and structures, and for the purpose of obtaining stone, gravel and other materials for the ballasting or repairing the same, and of the right of way to said material, the said company be and they are hereby authorized and empowered to take, condemn and use the same, under the provision of "An act to amend the law condemning the rights of Right of way.

way for purposes of internal improvements," approved June 22, A. D. 1852.

Connections.

§ 5. Said company shall have power to unite or connect its road with any other railroad constructed, or which may hereafter be constructed, in this state, upon such terms as may be mutually agreed upon by the companies so uniting or connecting; and said company may furthermore lease or purchase, upon such terms as may be agreed upon, any other railroad, or part of railroad, either wholly or partially constructed, or be adopted as part of their main line; and by such lease or purchase they shall acquire and become vested with all the rights so leased or purchased.

Borrow money.

§ 6. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing, operating and maintaining their said railroad, and to issue and dispose of the bonds at such rate of interest or discount as may be thought for the benefit of the road; and to mortgage their property and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company; may confer on any bondholder of any bonds issued for money borrowed, as aforesaid, the right to convert the principal due or owing thereon into stock of said company, at any time, and may further authorize the holder of said bond to vote at any and all elections for officers of said company, under such regulations as the directors may see fit to adopt.

Commissioners.

§ 7. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of them, after a meeting, duly called by thirty days' notice in two or more newspapers, published along the line of said road, shall meet and proceed to open books and receive subscriptions to the capital stock of said company. One dollar for each share subscribed shall be paid, on subscribing, and whenever one hundred thousand dollars shall have been subscribed, the subscribers may organize said corporation and proceed to the election of directors, and shall pay over all moneys or property, belonging to said company to said directors, when elected. No person shall be a director who is not a stockholder, and each stockholder shall be entitled to one vote for each share of stock he or she may hold, and may vote personally or by proxy: *And, provided, further,* that subscription of stock may be made to said company in lands, at their cash value, at the time of subscription, to be designated on the books of the corporation as land subscription—to be considered as paid by conveyance of said lands to the company.

Proviso.

Possession of
lands, etc.

§ 8. The said company are hereby authorized, by and with engineers and agents, to enter upon all lands for the purpose of making the necessary survey and examination of said road; to enter upon and take and hold all lands neces-

sary for the construction of said railroad and its appendages, first making just and reasonable compensation to the owners of said lands for any damage that may arise to them from the building of said railroad; and in case said company shall not be able to obtain the title to the lands, through which said road shall be laid, by purchase, on satisfactory terms or voluntary cession, the said company are hereby authorized to proceed to ascertain and determine the damage sustained by such owner or owners, in the manner and upon the principle provided by "An act to provide for a general system of railroad incorporations," approved November 5, 1849, and the several acts amendatory thereof: *Provided*, that after the appraisal of damage, and upon the deposit of the amount of such appraisal in the office of the circuit clerk of the county wherein such land may be situated, the company are hereby authorized to enter such lands for the construction of said railroad. Proviso.

§ 9. The said company are hereby authorized to cross any other railroad, road, or water course or stream which its road may intersect, upon repairing all such roads, water courses or streams which may be impaired in constructing said railroad, or its appendages; and shall restore them or any of them, as far as practicable, to as good a condition as they were before the construction of said railroad. Crossings.

§ 10. The said company may take and transport upon said railroad any person or persons, merchandise 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 rate of toll, per mile, for all passengers and property transported upon the same, as the said directors shall, from time to time, establish, upon equal basis to all such persons or property. Business and operations.

§ 11. Any person or persons who shall willfully, maliciously or wantonly and contrary to law, obstruct, damage, break or destroy any part of the said railroad, implements or buildings, he, she or they shall forfeit and pay to said company, for every such offense, triple the amount of damage that shall be proven, before any competent court, to have been sustained, and be sued for in the name of such company. Penalties.

§ 12. This act shall take effect and be in force from and after its passage.

APPROVED February 15, 1867.

AN ACT to incorporate the Illinois Cross Railroad Company.

In force Feb'y
15, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* DeWitt C. Barber, Thomas M. Sams, Lewis Flammack, John H. Corporators.

| | |
|--------------------|---|
| Name and style | Barber and Isaac B. Swan, and their associates, successors and assigns, be and they are hereby created a body politic, and corporate, under the name and style of "Illinois Cross Railroad Company," and by that name be and they are |
| Powers. | hereby made capable, in law and in equity, to sue and be sued, plead and be impleaded, defend and be defended in any court of law and equity in this state or elsewhere; to make, have and use a common seal, and the same to renew and alter at pleasure; and shall be and hereby are vested with all powers, privileges and immunities which are or may be necessary to construct, complete and operate a rail- |
| Line of road. | road, with double or single track, commencing at Cairo, in Alexander county, thence running northerly <i>via</i> Mound city, in Pulaski county, Vienna, in Johnson county, Marion, in Williamson county, Benton, in Franklin county, Mt. Vernon, in Jefferson county, Salem, in Marion county, |
| Location. | Pana, in Christian county, to Springfield, in Sangamon county, with the privilege of building two branches, from a point not more than eight miles north of Benton, in Frank- |
| Branches. | lin county, the one leading westerly <i>via</i> Tamaroa and Pinckneyville, in Perry county, on the most eligible route, to East St. Louis, and the other easterly in the direction of Evansville, Indiana, on the most eligible route to the state line, dividing the states of Illinois and Indiana; together |
| Rights, etc. | with all the rights and privileges conferred upon the Cairo and St. Louis Railroad Company by an act to incorporate the said Cairo and St. Louis Railroad Company, approved February 16, 1865: <i>Provided</i> , that the capital stock of said |
| Capital stock. | corporation shall be one million of dollars, which may be increased, from time to time, to any sum not exceeding the entire amount expended on account of said road and branches. |
| Increase of stock. | § 2. The affairs of said company shall be managed by a board of five directors, which may be increased to any number not exceeding thirteen; and DeWitt C. Barber, Thomas M. Sams, Lewis Flammack, John H. Barber and |
| Directors. | Isaac B. Swan, are hereby appointed the first board, who shall hold their offices until their successors shall be elected and qualified, in such manner as may be prescribed by the by-laws of said company. |
| First board. | § 3. The said corporation is hereby authorized, by and with the consent of the state of Indiana, to extend said eastern branch of said road to Evansville, Indiana, or to form a connection with any company that may be formed for that purpose by the authority of the state of Indiana. |
| Tenure. | § 4. This act shall be a public act, and shall take effect and be in force from and after its passage. |
| Connections. | APPROVED February 18, 1867. |

AN ACT to incorporate the St. Louis, Shelbyville and Tolono Railroad In force Feb'y 19, 1867.
Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas W. Harris, Anthony Thornton, Charles Scovil, Thomas Noble, John R. Eden, William G. Patterson, John A. Free-land, John Grim and Jonathan Patterson, sr., are hereby made and constituted a body corporate and politic, by the name and style of "The St. Louis, Shelbyville and Tolono Railroad Company," with perpetual succession; and by that name and style shall be capable, in law, of taking, purchasing, holding, leasing, selling and conveying estate and property, whether real or personal or mixed, so far as the same may be necessary for the purposes hereinafter mentioned, and no further; and in their corporate name to sue and be sued; to have a common seal which they may alter or renew at pleasure; and may have and exercise all powers, rights, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act, as the same are hereinafter set forth.

§ 2. That said company are hereby authorized and empowered to locate and, from time to time, to alter, change, re-locate, construct, re-construct and fully finish, perfect and maintain a railroad with one or more tracks, commencing at or near Bloody Island, in the state of Illinois, opposite the city of Saint Louis, in the state of Missouri, on the Mississippi river, thence on the most practicable route, to be determined by said directors or their successors in office from said point to the town of Greenville, in Bond county; thence to the city of Shelbyville, in Shelby county, in the state of Illinois; thence from said city on the most practicable route to be determined as aforesaid, to Sullivan, in the county of Moultrie, in the state of Illinois; and thence from said town of Sullivan to the town of Tolono, in the county of Champaign, in said state of Illinois, said route to be determined as aforesaid; and the said company are further authorized to use and operate said railroad, and shall have power and authority to regulate the time and manner in which goods, effects and persons shall be transported on the same; and to prescribe the manner in which said railroad shall be used and the rate of toll for transportation of persons or property thereon, and for the storage of merchandise or other property under their charge; and shall have power to provide all necessary stock and materials for the operation of said road; and shall have power to erect and maintain all necessary depots, stations, shops and other buildings and machinery, for the accommodation, management and operation of said road.

Corporators.

Name and style

Corporate powers.

Privileges.

Connections, etc

Line of road.

Powers, etc.

Rates of toll.

Stock, etc.,

Depots, etc.

| | |
|--------------------------------------|--|
| First board of directors. | § 3. The following named persons shall constitute the first board of directors, to-wit; Thomas W. Harris, Anthony Thornton, Charles C. Scovil, Hiram Blackstone, Thomas Noble, William G. Patterson, John R. Eden, Jonathan Patterson, senior, Joseph B. Titus, Chattin Kelly, and James Dazey, and William S. Smith. Said directors shall |
| Officers. | organize the board, within three years from the passage of this act, by electing one of their number president, and by appointing a secretary and treasurer, and the directors present shall certify the said organization under their hands; which certificate shall be recorded in the record book of said company, and shall be sufficient evidence of the organization of said company. The directors herein named shall |
| Organization. | hold their office until the first Wednesday in October, following their organization, and until their successors are elected and qualified as herein provided for. Vacancies in the board may be filled by a vote of two-thirds of the directors remaining, at any regular meeting of the board, or at any special meeting called for the purpose. |
| Term of office. | § 4. The within named directors shall within ninety days after their organization, give at least thirty days' notice of the time and places, along the line of said road, where books will be opened for the purpose of procuring subscriptions to the capital stock of said company; and said directors shall continue to receive subscriptions, either personally or by such agents as they shall appoint for that purpose, until the sum of one hundred thousand dollars is subscribed, and five per cent. paid thereon. Said directors or their successors may proceed, by their engineers to survey, locate and construct said railroad as prescribed by the act concerning the right of way, approved March 3, 1845, in the Revised Statutes of the state of Illinois. Certificates of stock shall be signed by the president, and countersigned by the secretary and treasurer of said company, each of whom shall keep a fair record of the same, which shall be subject to the inspection of any stockholder. |
| Vacancies. | |
| Stock subscription. | |
| Surveying and locating. | |
| Right of way. Certificates of stock. | |
| Election of directors. | § 5. Said board of directors, and each succeeding board, shall give at least thirty days' notice previous to the first Wednesday in October, of each year, of an election, by the stockholders, of a board of fifteen directors, at least eleven of whom shall be chosen from stockholders resident within the counties through which the road is located. All elections for directors shall be held at the city of Shelbyville, Illinois. At any election held for directors, each share of stock shall be entitled to one vote, to be given either in person or by proxy; and the persons receiving the largest number of votes to be declared duly elected, and to hold their office until the next election, and until their successors are elected and qualified. All elections for directors to be |
| Place of election. | |
| Tenure of office | |

conducted by three judges, selected by the stockholders present. No stockholder shall be allowed to vote at any election, after the first, for any stock which may have been assigned to him within thirty days previous to said election, or upon any stock upon which there is any due and unpaid installments.

§ 6. If any board of directors fail or refuse to give notice of the time herein specified for the annual election of directors, then any five stockholders may, in writing, require the secretary to give thirty days' notice, and it shall be his duty to give said thirty days' notice, so required, for any election of directors; and at the expiration of the time the stockholders present shall proceed and elect directors as herein provided for the election of directors; and the directors so elected shall constitute the legal board.

§ 7. The general offices of the company shall be located in the city of Shelbyville, Illinois, where all the books of record shall be kept, and the general business of the company shall be transacted. Said offices may be located at the city of Saint Louis, Missouri, by the action of two-thirds of the directors, at the annual meeting or at any special meeting of the said board of directors, called for the purpose of determining the location of said offices. There shall be kept at the secretary's office in the city of Shelbyville, a full record of the name and residence of each stockholder, and the number of shares held by each. Said record shall at all times, during business hours, be subject to the inspection of any stockholder.

§ 8. The several counties, cities, villages, incorporated towns, and the several townships in counties having township organization, through or near which the said road shall be located, are hereby authorized to raise money, by a tax to be levied upon all the real and personal property in the said several counties, cities, villages, incorporated towns and townships, and to subscribe the same to the capital stock of said corporation hereby created, for the purpose of aiding in the construction and completion of said road; and the said several counties, cities, villages, incorporated towns and townships, as aforesaid, are further authorized to issue bonds, drawing interest at the rate of ten per cent. per annum; which said bonds shall be negotiable and payable in the city of New York, in not less than one nor more than ten years after the date of the same: *Provided*, that no subscription shall be made or no tax shall be levied until the same shall be voted for as hereinafter provided.

§ 9. Whenever twenty-five voters of any such county, city, village, town or township shall make a written application to the county clerk of such county, or twenty-five voters of any such city, incorporated village or town or township shall make such application to the clerk thereof, requiring an election, by the legal voters of such county,

city, village or town or township, to determine whether such subscription shall be made and such tax levied, specifying in such application the amount, such clerk shall file such application in his office, and immediately give the notice, as required by law, for an election to be held by the legal voters of such county, city, village or town or township, at the usual places for holding elections; and such election shall be held and conducted in all respects, and the return thereof made, as in case of annual elections.

Manner of holding elections.

Issue bonds.

§ 10. If the majority of voters, voting at such election, shall be in favor of such subscription, and tax for the payment thereof, then such county, city, incorporated village or town or township, by its proper corporate authority, shall levy such tax, and subscribe to such corporation the amount thereof to be determined or voted for at any such election, and shall issue to said corporation their bonds for such amount, drawing ten per cent. interest per annum, and payable in not less than one nor more than ten years. The said bonds, when issued, are to be irrevocable, and negotiable and payable as in section 8, as aforesaid.

Who shall represent the corporation in elections.

§ 11. If any county, city, village or town or township shall subscribe to said capital stock, under the provisions of this act, and shall issue their bonds, said bonds shall be in full payment of their said subscriptions; and the supervisors of said townships or county court of such county and the corporate authority of such city, village or town, shall, annually, appoint some suitable person to represent and vote upon the stock so subscribed and levied, as aforesaid.

Charter forfeited.

§ 12. The said company shall be allowed three years from the passage of this act for the commencement of said railroad; and in case at least thirty miles of the same shall not be completed in ten years thereafter, the privilege granted herein shall be forfeited.

Union with other roads.

§ 13. Said company shall have power to unite its railroad, in whole or in part, with any other railroad or railroads now constructed or which may hereafter be constructed in this state, coming in contact therewith, and to grant to any such company or companies the right to use the whole or any portion of said line of road hereby authorized to be constructed, upon such terms as may be mutually agreed between the said company or companies.

Mortgages.

§ 14. Said company are hereby authorized to take and receive, from the several subscribers to the capital stock, mortgages on real estate for and in payment of the full amount of the said subscriptions; which mortgages may bear interest at the rate of ten per cent., annually, and be payable at such time as said directors and said subscribers shall agree.

Capital stock.

§ 15. The capital stock of said company shall consist of two millions of dollars, and may be increased to six

millions of dollars, to be divided into shares of fifty dollars each.

§ 16. That said railroad company, by this act incorporated, shall have power to borrow money, on the credit of the company, not exceeding its authorized capital stock, at a rate of interest to be agreed upon per annum, payable semi-annually, and may execute bonds therefor, with interest coupons thereto attached or annexed, and secure the payment of the same by mortgage or deed of trust on the whole or any part thereof of the said road, property and income of the company then existing or thereafter to be acquired; and may annex to such mortgage bonds the privilege of converting the same into the capital stock of the company, at par, at the option of the holders, if such election be signified in writing to the company three years before the maturity of said bonds.

Borrow money.

Interest.

§ 17. That the directors of said company be and they are hereby authorized to negotiate and sell the bonds of the said company at such times and in such places either within or without this state, and at such rates and for such prices as, in their opinion, will best advance the interests of the company; and if such bonds are thus negotiated or sold at a discount, below their par value, such sale and disposition thereof shall be as valid and binding on the company, in every respect, as if they were sold or disposed of at their par value.

Negotiation of bonds—sale of.

§ 18. That the said company, in securing the payment of said bonds by a mortgage or deed of trust on the road, property and income of the company, shall have power to execute a mortgage or deed of trust aforesaid to receive the payment of the full amount of bonds and interest which the company may, at the time said deed of trust or mortgage bears date, or at any time thereafter, desire to sell and dispose of; and may execute and sell, from time to time, such amounts of said bonds and of such dates, and payable to such person or persons, as to the directors of said company may seem advisable, till the whole amount of bonds mentioned in such mortgage or deed of trust is executed and sold; and the said mortgage or deed of trust shall be as valid and effectual to secure the payment of the bonds so executed and sold, and of every part thereof, as if the same and every part thereof had been executed of even date with the said deed of trust or mortgage.

Security for payment.

Sales of bonds.

§ 19. The preliminary acts in organizing the Shelbyville, Sullivan and Tolono Railroad Company, contemplating the organization of the road herein incorporated, be and the same are hereby legalized by this act of incorporation of the St. Louis, Shelbyville and Tolono Railroad.

Preliminary acts legalized.

§ 20. The board of directors shall have power to make all needful rules, regulations and by-laws for the govern-

ment of said company, not provided for nor inconsistent with this incorporating act.

Construction of act. § 21. This act shall be deemed a public act, and shall be liberally construed; and shall take effect from and after its passage.

APPROVED February 19, 1867.

In force Feb'y 20, 1867. AN ACT to legalize the organization of "The Nauvoo and La Harp extension of the Central Pacific Railway Company," and the subscription to the stock thereof, and to incorporate the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Jason K. Jacobs, Benjamin Warner, Matthew M. Waldemeyer, Milton M. Morrill, John Bauer, Adam Schwartz, Calvin Bradley, Nathan K. Hall, J. R. Frisby, John B. Ieking, Andre Burtin, John Brown, John Doruseiff, Edward Argast, W. K. Brort, A. H. Newton, A. Beger, E. Baxter, George Gillihoffer, John F. Weld, Adam Youngmeyer, J. J. Robertson, F. Argast, Lewis Height, A. Witzel, W. Beversdorf, and others, their associates, subscribers to the stock of a contemplated railroad from the Mississippi river at Nauvoo, to the grade of the contemplated Mississippi and Wabash Railroad, now called the Toledo, Peoria, and Warsaw Railway, and to connect therewith at some point in either the town of Pilot Grove or La Harp, in the county of Hancock, under and by virtue of an act entitled "An act to provide for a general system of railroad incorporations," approved November 5, 1849, together with all other persons who may subscribe to such stock, be and they are hereby created a body politic and corporate, by the name and style of "The Nauvoo and La Harp Extension of the Central Pacific Railroad Company," and by that name and style they, their associates, successors and assigns, shall have perpetual succession; may have and use a common seal, may alter the same at pleasure; may contract and be contracted with, sue and be sued in all courts and places; may defend and be defended; may acquire and hold or convey real and personal property, necessary to the carrying into effect the objects of this act; may obtain title thereto by purchase, gift, devise, condemnation or otherwise; may borrow money, issue bonds, and mortgage its property and franchises to secure the same; may locate, relocate, construct, maintain and operate a railroad, with single or double tracks, with all necessary depots, stations, side tracks, switches, turn-tables, tanks, machine shops, locomotives, cars and other fixtures, machinery and other things

Corporators.

Line of road

Reference to act.

Corporate name and powers.

Borrow money.

Construction of road.

usual and necessary in the location, construction, maintenance and operation of a railroad for the transportation of persons and property from the Mississippi river, at Nauvoo, to the located and graded track of the Mississippi and Wabash railroad, now called the Toledo, Peoria and Warsaw Railway, at any point to be selected by this company, in either the town of Pilot Grove or La Harp, in Hancock county; and may connect and consolidate with said Mississippi and Wabash Railroad Company, now called the Toledo, Peoria and Warsaw Railway Company, for the purpose of obtaining the right of way for said road and grounds for depots and other purposes of said company, and for obtaining stone, gravel, sand, earth or other material for the construction, maintenance and operation of said road; may condemn the same by virtue of any law of this state authorizing condemnations of private property for public use; and, in addition to the powers herein granted, shall have all the powers granted to the Warsaw and Rockford Railroad Company, and to the Mississippi and Wabash Railroad Company, by virtue of any laws of this state, as fully as if here particularly enumerated; may fix the rates of passage and tariff of freights, and collect the same, subject to be regulated by any general law of this state, made or to be made, relating to all the railroads in this state. But should the courts hold [that] railroads now in existence are not subject to such general law relating to rates of passage and tariff of freights, then this company shall not be subject thereto; it being the intention to place this corporation on the same footing, in relation to such rates of passage and tariff of freights, as railroads already in existence.

§ 2. The subscriptions to the stock of said contemplated railroad heretofore made, whether before or after the organization of said Nauvoo and La Harp Extension of the Central Pacific Railroad Company, by the election of directors, are hereby legalized, and declared valid and binding upon the persons or corporations subscribing to the same, and payable to said company hereby incorporated; and this company may make calls upon and collect the same as fully as if such subscriptions were made subsequent to the passage of this act. That the organization of said company, on the first day of September, 1866, by the election of directors and appointment of commissioners to take subscription of stock, be and the same hereby is legalized, and Jason K. Jacobs, Benjamin Warner, Matthew M. Walde-meyer, M. M. Morrill, John Bauer, Adam Schwartz, Calvin Bradley, N. K. Hall, J. R. Frisby, J. B. Icking, Andre Burtin, John Brown, and John Duroseiff, directors, elected by such stockholders, be and hereby are declared duly elected directors of the said company, and the directors of this incorporation, until the first day of September, A. D. 1867, and until their successors are elected and qualified. A majority

Location.

Consolidation.

Right of way.

Condemned lands.

Additional powers.

Rates of passage

Definition of section.

Stock subscrip-tion.

Legalized.

Election of officers legalized.

Names of directors.

Term of office.

Vacancy. of said board of directors may fill any vacancy in said board. That the election or appointment of officers, and all proceedings of said board of directors, be and the same are hereby legalized, and shall be binding upon this corporation.

Election for or against subscription. § 3. That the election held on the tenth day of October, A. D. 1866, at the city hall in the city of Nauvoo, in Hancock county, by the legal voters in said city, under and pursuant to an ordinance of said city, duly passed by the city council of said city, directing and providing for holding an election at that time and place, to vote "For or against" subscribing twenty-five thousand dollars to the capital stock of said contemplated Nauvoo and La Harp Extension of the Central Pacific Railroad Company, at which there were two hundred and one votes polled, as follows: one hundred and eighty-one votes "For subscription," and twenty votes "Against subscription" thereto, be and the same is hereby in all respects legalized, and the city council of said city be and is hereby authorized and required to subscribe to the said stock of the said contemplated railroad—this corporation—and issue the bonds of said city therefor, payable to said Nauvoo and La Harp Extension of the Central Pacific Railroad Company—this corporation—not less than ten nor more than twenty years after issuing the same; and said city council are hereby authorized and required to levy and collect, annually, a special tax on all the taxable property of said city, sufficient to pay the interest on said bonds at ten per cent. per annum, but not to exceed three per cent. on the assessed value of such taxable property of said city; which shall be levied and collected as other city taxes, but shall be kept as a separate fund, for the payment, first, of interest on said bonds, and second, for the payment or retirement of said bonds.

City council to subscribe.

Special tax.

Separate fund.

Capital stock. § 4. This act shall be deemed a public act, and take effect and be in force from and after its passage. The capital stock fixed by said contemplated railroad company, by their organization, of four hundred and thirty thousand dollars, shall be the capital stock of this corporation; but such stock may be increased, from time to time, to any sum not exceeding one million of dollars, and shall be divided into shares of fifty dollars each, and shall be personal property, and transferable on the books of said company only. At all elections or stockholders' meetings, each share of stock shall have one vote, and may be cast in person or by proxy. Said directors may make all needful by-laws not inconsistent with the laws of this state.

Increase of.

Vote of shareholders.

Proxy.

APPROVED February 20, 1867.

AN ACT to incorporate the Lisbon Branch Railroad Company.

In force Feb'y
19, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas B. Hanna, Henry Sherrill, William P. Pierce, John Moore, Philip Collins, George W. Lane, Henry McEwen and Washington Bushnell, and their associates, successors and assigns, are hereby created a body corporate and politic, with perpetual succession, under the name and style of "The Lisbon Branch Railroad Company;" and by that name may sue and be sued, plead and be impleaded, defend and be defended in any court of law or equity, in this state or elsewhere; to contract and be contracted with; to make, have and use a common seal, and the same to 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 is hereby authorized and empowered to locate, survey, construct and complete a railroad, with one or more tracks, and the necessary switches, turn-tables, side-tracks, depots, and other required buildings and structures; commencing at the village of Lisbon, in Kendall county, and running to the city of Morris, in Grundy county, on such route as may be found most advantageous to the said company, with power to connect or unite, upon such terms as may be agreed upon, with any road whose track they may cross or approach, or with power to cross the track of any other railroad: *Provided*, that said company shall restore said railroad track to its former state and condition, without materially impairing its usefulness or interrupting its business, and with power to construct a side-track to one or more coal mines in the city of Morris or the vicinity thereof; and, also, a side-track, (or the main line, as shall be found most advantageous,) may be made to approach the Illinois and Michigan Canal within or near the city of Morris; and the said company shall have authority to run the said side-tracks, or the main line, or any part thereof, by means of locomotives, dummies or horse power, or they may lay down on any such side-track or the main line, or any part thereof, a plank road, and use, occupy and control the same, as such, so long as they may deem advisable.

Name and style

Corporate powers.

Business powers and franchises.

Proviso.

§ 2. For the purpose of acquiring the right of way one hundred feet wide along the entire line, or so much thereof as, to them, may seem necessary, with ground for the required side-tracks, turn-outs, switches and depots, and other necessary buildings and structures, and for the purpose of obtaining stone, gravel or other materials for grading, ballasting or repairing the same, including the right of way to said material, the said company is hereby authorized and

Rights of way.

empowered to take, condemn and use the same, under the provisions of "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, 1852.

Capital stock.

§ 3. The capital stock of said company shall be one hundred thousand dollars, and may be increased, from time to time, as may be deemed necessary. Said stock shall be divided into shares of one hundred dollars each. The government and direction of said company shall be vested in such number of directors as the said corporation shall decide, the number and manner of electing which shall be specified in the by-laws of the said corporation, and to hold their offices for one year, or until their successors are elected; and all elections shall be upon the basis of one vote for each share of stock, to be cast by the shareholder in person or by proxy.

Directors.

§ 4. The incorporators named in this act are hereby declared provisional directors, and shall hold their offices until their successors are elected; and they are hereby authorized to open subscription books for said stock at such places as they may deem proper, until an amount equal to two thousand dollars per mile of said road is subscribed, when they shall call a meeting of the stockholders, having given thirty days' public notice thereof, for the purpose of electing directors. The directors, not to exceed nine in number, shall constitute the complete organization of said company, and may elect one of their number president; and may adopt such rules and by-laws, for the government of said company, not in conflict with this act or with the constitution or laws of the state, as they may deem expedient.

Stock subscription.

Meeting of stockholders.

Indebtedness.

§ 5. Said company is authorized to borrow such sum or sums of money as may be necessary to aid in constructing said roads, and may pay not exceeding ten per cent. interest thereon; and may pledge or mortgage its road or appendages, or execute a deed of trust thereon, as security for the payment of the same; and may make and dispose of any bonds issued for such loan on such terms as the directors may determine.

§ 6. This act shall be deemed and taken to be a public act, and shall be in force from and after its passage.

APPROVED February 19, 1867.

In force Feb'y 20, 1867. AN ACT to incorporate the Wyand and Pond Creek Railway and Carrying Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That, David T. Nichols, Franklin Crittenden and Carmi C. Royce, and*

their successors, be and they are hereby created a body politic and corporate, by the name of "The Wyanet and Pond Creek Railway and Carrying Company," for the term of thirty years, with all the powers and authority incident to corporations for the purposes hereinafter mentioned. Name and style.

§ 2. The said corporation is hereby authorized and empowered to construct, maintain and operate a single or double track railway, with all the necessary and convenient tracks for turn-outs, side-tracks and appendages, in the town and corporation of Wyanet, in the county of Bureau, in the state of Illinois, and in, on, over and along such street or streets, highway or highways, between the stations of Wyanet and Pond Creek, as may be necessary for the construction, operation and maintenance of said railway. Business powers, etc.

§ 3. The capital stock of said corporation shall be ten thousand dollars, and may be increased, from time to time, as the same may become necessary, and at the pleasure of said corporation. It shall be divided into shares of one hundred dollars each, which shares shall be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct. Capital stock.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such officers and agents as said board of directors shall appoint. The first board of directors shall consist of David T. Nichols, Franklin Crittenden and Carmi C. Royce, and thereafter of not less than three or more than five stockholders, who shall be chosen each and every year by the stockholders, at such time and in such manner as the said corporation shall by its laws and regulations provide. The said directors shall hold their offices until their successors are elected and qualified, and may fill any vacancies which may happen in such board of directors, by death, resignation or otherwise; they may also adopt such by-laws, rules and regulations for the government of said corporation and the management of its affairs and business as they may think proper, not inconsistent with the provisions of this act or the laws of this state. Directors.
First board of.
How chosen.
Vacancies.
By-laws, etc.

§ 5. To enable said corporation to construct said railway, with all the necessary appendages, the said corporation is authorized and empowered to borrow, from time to time, such sums of money as in their opinion may be deemed necessary to aid the construction of said railway, and to pay any interest therefor, not exceeding the rate of ten per cent. per annum, and to pledge and mortgage the said railway and its appurtenances and appendages, or any part thereof, or any other property or effects, rights or credits or appendages of said company, as securities for any loan of money and interest thereon, and to dispose of the bonds issued for such loan at such rates or on such terms as the board of directors may determine. Indebtedness.

Rights and pri-
vileges.

§ 6. Upon such organization said company may and shall have the exclusive right and privilege to establish and operate upon and over the streets of Wyandot railways for carrying passengers and freight, for the term of thirty years from the passage of this act, with all convenient appendages thereto. Said company shall have power and may exercise such powers as are or may be necessary for the purposes contemplated by this act, not repugnant to the constitution and laws of the United States and of this state: *Provided*, said company shall commence laying such tracks within two years from the passage hereof.

Rates of fare.

§ 7. The common council of Wyandot may regulate rates of fares, the manner and places of laying said railway tracks by said company, and may prohibit, by ordinance, said company from laying its tracks at such places as may be deemed injurious to the public.

Subject to future
legislation.

§ 8. This act and all powers and rights derived therefrom shall forever be and remain subject to all future general legislation of this state upon the subject of rates of fare for passengers and freight.

§ 9. This act shall be deemed and taken to be a public act, and shall take effect and be in force from and after its passage.

APPROVED February 20, 1867.

In force Feb'y 22, 1867. AN ACT to incorporate the Pekin, Lincoln and Decatur Railroad Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Ties Smith, Henry L. Pratt, Benjamin S. Prettyman, J. E. Leonard, Peter Weyrick, of Tazewell county; Colby Knapp, James F. D. Elliott, John D. Gillett, A. M. Miller, Robert B. Latham, Samuel C. Beam, Mendret Wemple, and John Wyatt, of Logan county; Henry B. Durfee, Lowber Burrows, Sheridan Wait, Franklin Priest and William H. Ennis, of Macon county, and their associates and successors, are hereby created a body politic and corporate, under the name and style of "The Pekin, Lincoln and Decatur Railroad Company," with perpetual succession; and under said name and style, shall be capable of suing and being sued, pleading and being impleaded, defending and being defended against, in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons; may make and use a common seal, and alter or renew the same at pleasure; and, by their said corporate name and style, shall be capable in law of contracting and being contracted with, and shall be and are hereby invest-

Name and style

ed with all the powers and immunities and franchises of receiving and disposing of real and personal estate which may be needful in carrying fully into effect the purposes and objects of this act; and said company are hereby authorized and empowered to locate, construct, furnish, maintain and operate a railroad from Pekin in the county of Tazewell; thence to Lincoln, in the county of Logan, and thence to Decatur, in the county of Macon, with one or more tracks or lines of rails, and with all necessary sidetracks, turn-outs, switches, depots, stations and other necessary buildings, erections and structures. Said company shall commence the construction of said railroad in good faith within five (5) years, and shall complete the same within ten (10) years; and said railroad shall be constructed so as to pass within one-half mile of the town of Mt. Pulas-ki, in Logan county.

Powers, privi-
leges, etc.

§ 2. The capital stock of said company shall consist of three (3) millions of dollars, and may be increased, from time to time, by a vote of a majority in interest of the stockholders, at their annual meeting, or at any special meeting that may be called for that purpose, to any sum not exceeding five (5) millions of dollars; which stock shall be divided into shares of one hundred dollars each. Said stock shall be deemed personal property, and may be issued, certified, registered and transferred in such manner as may be prescribed by the board of directors.

Capital stock.

§ 3. All the corporate powers of said company and its immediate government and direction shall be vested in and exercised by a board of directors, to consist of seven (7) members, and such officers, agents and servants as they may appoint. Said directors shall be chosen by the stockholders of said company, and shall hold their office for one year from and after their election, and until others shall be duly elected and qualified to take their places as directors. Vacancies in the board of directors may be filled by a vote of two-thirds of the directors remaining—such appointees to hold their office until the next annual election of directors. No person shall be a director who shall not be a stockholder, and each stockholder shall be entitled to one vote for each share of stock he shall hold, upon which all calls have been paid. A majority of said directors shall constitute a quorum for the transaction of business, and shall elect one of their number to be president of said company, and shall have power to appoint or elect such other officers as they shall deem proper. Annual elections for the election of directors of said company shall be held at such time and place as may be designated and fixed by the by-laws of said company, thirty days' notice being given of the time and place of holding such election, by publication thereof in one newspaper published in each of the cities of Pekin, Lincoln and Decatur.

Directors—
duties of.

Right to establish road.

§ 4. Said company shall have the right to lay out and establish their railroad, not exceeding one hundred feet in width, through the entire line thereof; and it shall be lawful for said company, their officers, engineers and agents, to enter upon any land for the purpose of exploring, surveying and locating the routes of said road, doing thereto no unnecessary damage; and when said route shall be determined, it shall be lawful for them, their agents, officers, engineers and contractors and servants, at any time to enter upon, take possession of and use such lands, not exceeding one hundred feet in width, along the line of said route, subject, however, to the payment of such compensation as the company may have agreed to pay therefor, or such as shall be ascertained in the manner hereinafter provided. And for the purpose of cutting and making embankments, obtaining stone, sand, gravel or other materials necessary for building, ballasting or repairing said road, said company may take and appropriate so much more land, on either side of said road, as may be necessary for the proper construction, maintenance and security of said railroad; and for the purpose of constructing shops, depots, side-tracks, turn-outs and other suitable and convenient fixtures, as appurtenances to said railroad, the said company may take, have, use and occupy any lands on either side of said railroad, not exceeding two hundred (200) feet in width—said company taking all such lands by gift or purchase or making satisfaction for the same in the manner hereinafter provided. Said company shall have power to construct their road across the track of any other railroad whenever they deem it expedient to do so, anything in the laws or charter of any railroad to the contrary notwithstanding; or across any stream of water, road or highway or the route of said road: *Provided*, the said company shall restore the railroad, stream of water, road or highway, thus intersected or crossed, to its former state or in a sufficient manner not to impair its usefulness.

Possession of lands, etc.

§ 5. If said company can not agree with the owners of lands which it may be necessary to take for the purposes aforesaid, so as to procure the same by deed or the voluntary act of such owners, or if the owner be an infant, *non compos mentis*, unknown or not a resident of the county in which the land desired may be situated, the said company are authorized and empowered to take, condemn and use the same, under the provisions of "An act to amend the law condemning the right of way for the purposes of internal improvement," approved June 22, 1852, and all acts amendatory thereof, or any laws which may be in force for that purpose at the time of any application for such condemnation.

Right of way.

§ 6. The right of way and the real estate for the right of way and for the purposes aforesaid, purchased or

acquired by said company, whether by agreement or otherwise, or which may become the property of the company by operation of law, shall, upon the payment of the money agreed or adjudged to be paid to the owner or owners of said land as a compensation for the same, become the property of said company in fee simple.

§ 7. Said company is hereby authorized and empowered from time to time, to borrow such sums of money, not exceeding the capital stock of said company, as may be necessary for the completing, equipping, furnishing, operating and maintaining their said railroad; and for such purposes to issue and dispose of the bonds of the company at such rate of interest and at such discount as may be thought for benefit of the company, and to mortgage their corporate property or income or franchises, or to convey the same by deed or trust to secure the payment of any debt contracted by said company, for the purposes aforesaid; and any such bonds as may be sold or disposed of at a less rate than par shall be as valid and binding upon said company as if the same were sold or disposed of for the par value thereof. Indebtedness.

§ 8. The persons named in the first section of this act are hereby appointed commissioners, who or a majority of them, after a meeting duly called by thirty days' notice in some public newspaper published in each of the three cities of Pekin, Lincoln and Decatur, to be held at Lincoln, shall meet and proceed to open books and receive subscriptions to the capital stock of said company—ten (10) dollars for each share subscribed to be paid on subscribing. Whenever twenty-five (25) thousand dollars shall have been subscribed, the subscribers may organize said corporation and proceed to the election of directors; and when the directors of said company are chosen, the said commissioners shall deliver the said subscription books, with all sums of money received by them as commissioners, to said directors. The directors of said company, after the same is organized, shall have power to open books and to fill up the capital stock of said company, or any part thereof, at such time as they may deem expedient; and all installments required to be paid on the stock originally subscribed, or that may be taken to increase said capital, shall be paid at such time and in such amounts as said directors may prescribe. Commissioners
—duties of.

§ 10. All the rights, privileges and advantages, with the limitations and restrictions upon the Illinois Central Railroad, and also, the rights, privileges and advantages conferred by an act entitled "An act to provide for a general system of railroad incorporations," approved November 5, 1849, and the several acts amendatory thereof, except as hereinafter qualified, are hereby conferred upon the Pekin Lincoln, and Decatur Railroad Company; and the counties of Tazewell, Logan and Macon, and any of the incorporated cities, towns or organized townships thereof, are Rights confer'd

Subscription of
Tazewell and
Macon coun-
ties.

hereby authorized to subscribe to the capital stock of said company in like manner and with like effect as is provided in the act referred to and the acts amendatory thereof: *Provided*, that the aggregate subscription made by the county of Tazewell and its cities, towns or townships shall not be less than one hundred and fifty thousand dollars, nor more than two hundred and fifty thousand dollars; and that of Logan county, and its cities, towns or townships, shall not be less than two hundred and fifty thousand dollars, nor more than three hundred and fifty thousand dollars, and that of Macon county and its cities, towns or townships, shall not be less than one hundred thousand dollars, nor more than two hundred thousand dollars.

To be decided
by elections.

§ 10. No such subscription shall be made until the question has been submitted to the legal voters of the county, city, town or township by which the subscription is proposed to be made; and elections may be held therein, as hereinafter provided, on the question whether such county, city, town or township shall subscribe for any specific amount, in shares, of the capital stock of said company. Twenty (20) days' notice shall be given of the time of holding such election, and such election shall be conducted in the mode prescribed in the act entitled "An act to provide for a general system of railroad incorporation," approved November 5, 1849, and the several acts amendatory thereof, or in the mode prescribed in any other general law relating to such elections, or in the mode in which such county, city, town or township elections are usually conducted: *Provided, however*, that no new registry of voters shall be required to be made previous to any such election, but the registry made at the last general election, immediately preceding such election, shall be held and deemed to apply to such election, with a saving of the right to vote at such election to any and all persons who may have acquired such right, since the said last general election, under the general laws of this state or under the charters of any such city or town.

Time and place
of election.

§ 11. Whenever said railroad company shall become organized by the election of a board of directors, it shall be and is hereby made the duty of the county court or board of supervisors (as the case may be) of each of the said counties of Tazewell, Logan and Macon, upon the application, in writing of said board of directors, to order the board of directors, to order the holding of an election in their proper counties, upon some day to be named in said application, within a reasonable time from the time of making such application, for the purpose of determining whether said counties will or will not subscribe stock to said company—the amount of the subscription to said stock to be voted on in each county to be determined by said board of directors, and to be named in the application so to be

made by them, and which amount shall be within the limits mentioned in the tenth section of this act.

§ 12. Should the voters of any or all of said counties, at such election, refuse to vote in favor of such subscription, the said board of directors, by a petition, signed by at least two hundred legal voters of said county, presented to the county court or board of supervisors thereof, may require said county court or board of supervisors to submit the same proposition to the voters of any of said counties, at any subsequent general election or county election to be held in such county: *Provided*, such petition shall be presented to the said county court or board of supervisors at least forty days before the time for holding such election; or if no general or county election shall be impending within six months from the time of making such application, then to require said county court or board of supervisors to order a special election, as in the 11th section of this act provided. The said board of directors, upon the petition of fifty citizens of any city, town or township in either of the counties aforesaid, may also require the corporate authorities of any such city, town or township, and it shall be their duty, upon such petition, to order the holding of an election in such city, town or township, upon some day not more than thirty days from the time at which such application shall be made to them, for the purpose of determining whether such city, town or township, will or will not subscribe stock to said company—the amount of the subscription to be voted on at any such election to be named in the application so to be made to them, and which amount shall be within the limits mentioned in the tenth section of this act: *Provided, however*, that no more than two such elections shall be held in any one city, town or township in any one year; and one of which must be in conjunction with and at a regular election in such city, town or township.

Refusal to subscribe to stock.

No. of elections to be held in each town.

§ 13. If it shall appear that a majority of all the voters, voting at any such election as may be held under this act, have voted "For subscription," it shall be the duty of the county court or board of supervisors of each county so voting, and of the corporate authorities of any such city, town or township so voting, to subscribe, without unnecessary delay, upon the request of said company, through their president or treasurer, for shares of said capital stock to the amount so voted by such county, city, town or township, and to deliver and issue to the president or treasurer of said company, without unnecessary delay, the same amount as the stock so subscribed of the bonds of such county, city, town or township, payable at such time specified therein, not exceeding twenty (20) years from their date, with coupons bearing interest at a rate not exceeding ten (10) per cent. per annum, payable annually; which

Duty of county court.

Bonds.

bonds and coupons shall be made payable at any place within or without this state, as said company may request. Said bonds shall be attested by the clerk of each county, city, town or township so issuing them, and it shall be the duty of such clerk to make a record of the issuing of said bonds: *Provided, however,* that it shall not be the duty, but shall be at the option of the county authorities of either of said three counties to issue and deliver its said bonds, or to levy any tax to pay the interest thereon, so long as any two of said counties have failed or refused to vote to subscribe to the capital stock of said company, in the aggregate, to the amount or within the limits prescribed in the tenth section of this act.

Disposition of money.

§ 14. The money realized by or from the bonds of any county or of any city, town or township thereof becoming a subscriber to the capital stock of said company, shall be expended upon the work upon the road in such county so subscribing, or in which any such city, town or township so subscribing shall be situated, unless there should be an overplus left, after finishing the work of grading and bridging the road in such county; then and in that case said overplus may be expended upon the work on the road in either or both of the other of said counties.

Tax.

§ 15. It shall be the duty of the respective authorities of the several counties, cities, towns and townships which may have subscribed stock and issued bonds to said company to levy and collect a sufficient special tax, on all the taxable property, both real and personal, in such counties, cities, towns and townships, to pay the interest annually accruing on such bonds. Said tax shall be levied on the assessments made by the assessors of their respective counties, cities, towns and townships as provided by the revenue laws of this state for assessing property, and shall be extended on the collector's books of such county, city, town or township as a special railroad tax, and shall be collected by the respective collectors of such counties and townships at the same time and in the same manner as provided by law for collecting state and county taxes; and shall be levied and collected by the respective authorities of such cities and towns in the same manner and at the same time as other city or town taxes are levied and collected, in and for such cities and towns. The corporate authorities of the

Rate per cent.

respective counties and townships shall certify to the county clerk of the proper county the rate per cent. to be levied, for each year, for such special tax; and the said county clerk shall extend said tax on the collector's books for such county or township as a special railroad tax, at the rate so certified for each year, in the same manner and on all the property on which state and county taxes are extended: *Provided,* that in case the said authorities of any such county or township shall fail to certify to such clerk the rate per

Proviso.

cent. to be levied for any year, before the time required by law for said clerk to extend state and county taxes, then it shall be the duty of said clerk to extend such tax for such year at any rate, not less than twenty-five per cent. and not greater than fifty per cent. more than the rate levied as a special railroad tax, for the year immediately previous thereto: *And, provided, also*, that should such authorities fail to certify the rate per cent. to be levied, for the first year, that said taxes ought or should be levied, under this act, it shall be the duty of said clerk to extend such tax for said year at the rate of one per centum.

Disposition of
taxes.

§ 16. All special railroad taxes, which shall or may be collected by the respective county or township collectors, shall be annually paid by them to the county treasurer of the county in which the tax is collected, deducting therefrom a commission of one and one-half per centum, only, for collecting; and it shall be the duty of said county treasurer to pay out the amount due upon each of said county bonds, as interest, out of any money in his hands for that purpose, and upon each of the township bonds which may be issued, under this act, by any township in his said county, as interest, out of any money in his hands for that purpose, upon presentation of the coupons, either at his office or at the place where the same are made specifically payable. He shall, also, keep an account with each township of all money received by him and paid out on account of said township, which account, as well as his books, papers and vouchers, showing his receipts and disbursements, both for said county and any township therein, shall at all times be open to inspection by all persons wishing to examine the same. Said county treasurers and collectors shall be respectively liable, on their bonds, for the faithful application of said taxes to the payment of the interest of the bonds for which said taxes were levied and collected to pay, and shall receive therefor, in full compensation, a compensation of one per centum, only, on the amount so paid. Said county treasurers shall make a report annually, or oftener if required, to the county court or board of supervisors, showing the amount so paid to them, for the previous year, by the county or township collectors, as railroad tax, both for county and township purposes; and shall render to them, whenever required, a full, accurate and just account of his disbursements under this act.

Annual exhibit
of condition.

§ 17. All special railroad taxes which shall or may be collected, under and by virtue of this act, by the collector of any city or incorporated town, shall be annually paid by such collector to the treasurer of such city or town, deducting therefrom a commission of one and one-half per centum, only, for collecting; and it shall be the duty of such city or town treasurer to pay out the amount due upon each of the bonds of such city or town, as interest, out of any money

Indebtedness.

in his hands for that purpose, upon presentation of the coupons at his office or at the place where the same were made specifically payable. He shall keep an account with said city or town of all money received by him, under this act; which account, as well as all his books and papers, and vouchers, showing his receipts and disbursements, shall at all times be open to the inspection of any person wishing to examine the same. He shall make report to the said city or town authorities, and shall be liable on his official bond for the faithful performance of his duties, under this act, in the same manner as prescribed in the previous section of this act in regard to county treasurers; and shall receive, as a compensation for paying out moneys under this act, one per centum on the amount paid out, and no more.

Elections.

§ 18. In case any of the counties herein named, or any cities, towns or townships therein, shall subscribe stock to said company as hereinbefore provided, it shall and may be lawful for such counties, cities, towns or townships to vote at any and all elections for directors, and upon any and all other questions upon which, under this charter, the stockholders of said company may be entitled to vote—casting such vote in such manner and under such regulations as the said corporate authorities of any such county, city, town or township, from time to time, by resolution, to be entered upon their official records, may prescribe and determine for themselves.

Power to lease
railroad.

§ 19. Said company shall have power and it is hereby authorized to lease, for a term of years, its said railroad or any part thereof, or their railroad franchises, real or personal property, to any company or companies which may have been or may hereafter be incorporated, or to any party or parties, and to grant to any such company or companies, party or parties, the right to construct and use any portion of said line of road hereby authorized to be constructed upon such terms as may be mutually agreed upon between the contracting parties: *Provided, however,* that no railroad company whose line of road shall cross or intersect the road of the Pekin, Lincoln and Decatur Railroad Company shall ever, directly or indirectly, nor shall any person or persons in trust for any such company, become stockholders or bondholders in the company hereby created; nor shall it be lawful for said company to consolidate its line of road or corporate franchises with that of any other railroad company whatsoever.

Consolidation
unlawful.

§ 20. This act shall be taken and deemed as a public act, and shall be in force and effect from and after its passage.

APPROVED February 22, 1867.

AN ACT to authorize the Chicago and Wilmington Coal Company to construct a railroad from its lands to the Kankakee river, and to the Chicago Alton and St. Louis Railroad. In force Feb'y 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Chicago and Wilmington Coal Company shall have power to construct and operate a railroad, from and across any lands now owned or which they may hereafter own or be interested in, in townships thirty-two (32) and thirty-three (33) north, of range number nine (9) east, of the third principal meridian, to the west bank of the Kankakee river and to the Chicago, Alton and St. Louis railroad, for the purpose of transacting its business of mining, transporting and marketing its coal, and doing the business necessarily connected therewith. Power to construct railroad.

§ 2. The right of way for the railroad hereby authorized, and also the lands necessary for landings on the Kankakee river, and for depots, may be obtained and held by said company by purchase or grant, or they may be acquired, for the purpose in this act designated, in the manner prescribed by an act entitled "An act to amend the laws condemning the right of way for purposes of internal improvement," approved June 22, 1852. Right of way

§ 3. This act shall take effect and be in force from and after its passage.

APPROVED February 21, 1867.

AN ACT to amend the charter of the Peoria, Pekin and Jacksonville Railroad Company. In force Feb'y 19, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Peoria, Pekin and Jacksonville Railroad Company be and are hereby authorized and empowered to extend their railroad, by locating, constructing and operating the same, with single or double track, from the town of Virginia, in Cass county, through the counties of Cass, Morgan, Scott, Greene, Macoupin, Jersey, Madison and St. Clair, or any or either of them, to any point in said St. Clair county, opposite the city of St. Louis: *Provided*, that said railroad shall not be diverted from the location, as now provided for in the charter of said road, at Jacksonville. Name.
Extension.

§ 2. The said railroad company is hereby authorized, by their engineers, agents or servants, to enter upon and cause such examinations and surveys to be made of the Examinations and surveys.

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| Right of way. | ground and country between the points herein named as shall be necessary to ascertain the most advantageous route for said road; and it shall be lawful for said company to acquire the right or way for said road, not exceeding one hundred feet wide, over private property, either by gift, grant or purchase, or in the manner provided in the charter of the Illinois River Railroad Company and the acts amendatory thereof, or of the Peoria, Pekin and Jacksonville Railroad Company and the acts amendatory thereof, or by any of the general laws of this state concerning the right of way, now in force or that may be hereafter enacted; and in the same manner to acquire title to such other lands as may be necessary for obtaining stone, gravel, earth and other material for building or repairing said road and for depots, station houses, store houses, ware houses, wharves, shops, switches, turnouts and sidetracks, and for a right of way to the same; and, in like manner, to acquire the necessary lands, on the bank of the Mississippi river, for any of the uses and purposes aforesaid. |
| Title. | |
| Rights extended. | § 3. The right to cross streets, highways, streams, water courses, railroads, and all other rights, powers, privileges and franchises, heretofore granted to said Peoria, Pekin and Jacksonville Railroad Company or the Illinois River Railroad Company, are hereby fully extended to the Peoria, Pekin and Jacksonville Railroad Company, for the purpose of constructing, maintaining and operating the extension of said road contemplated by this act. This act shall take effect and be in force from and after its passage. |
| Consolidation. | § 4. The said company may lease, purchase unite or consolidate with any other railroad or part of railroad, either wholly or partially constructed, or which may or do lay along, contiguous to or touch upon their railroad, or the route which shall be finally adopted as the line of the road, provided for by this act, which may constitute or be adopted as part of their said railroad, upon such terms and conditions as may be mutually agreed upon; and this company, as well as the owners, corporations or proprietors of such other roads or routes are hereby authorized and empowered to make and execute all necessary contracts for the purposes aforesaid; and, by such lease or purchase, they shall acquire and become vested with all the rights and franchises pertaining to such road or parts of road so leased or purchased. |
| Contracts. | § 5. This act shall be a public law, and be in force from and after its passage and from and after its adoption by the board of directors of said company. |

APPROVED February 19, 1867.

AN ACT to amend the charter of the St. Louis, Alton and Rock Island Railroad Company. In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Powers, etc. St. Louis, Alton and Rock Island Railroad Company be and they are hereby authorized and empowered to obtain the right of way, lay out, construct and operate a branch railroad, from their said railroad, in the county of Cass or Morgan, on the nearest and most eligible route, cost considered, to intersect with the Peoria, Pekin and Jacksonville Railroad; and that, in laying out, constructing and operating said branch road, the said company shall have and exercise all the powers and privileges and be subject to all the restrictions and liabilities specified in their original charter and the acts amendatory thereof; and the provisions of said charter and amendments shall apply to the branch road herein provided for, as fully as to their original road.

§ 2. The said company is hereby empowered to lease, Arrangements with other roads. connect or make running arrangements with any other railroad chartered or to be chartered in this state, upon such terms, not in conflict with the general laws of this state, in force, or to be in force, as the corporations interested may agree upon; and such arrangements may be made in reference to the whole or any part of said St. Louis, Alton and Rock Island Railroad, and to the branch road hereby authorized to be constructed.

§ 3. This act to take effect and be in force from and after its passage.

APPROVED February 23, 1867.

AN ACT to incorporate the Jacksonville North-Western and South-Eastern Railway Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Cyrus Epler, Alexander McDonald, M. P. Ayres, Ralph Reynolds, Wm. J. Wyatt and John A. Crain, of Morgan county; John Bennyworth, of Macoupin county; Richard O'Bannon, of Montgomery county; S. Smith, of Bond county; A. A. Ferroo and E. S. Condit, of Marion county; George H. Varnell, of Jefferson county; A. G. Cloud and S. S. Marshall, of Hamilton county; John Eubanks, of White county, and James B. Turner and Thomas Ridgway, of Gallatin county, of the state of Illinois, and their associates and successors, are hereby created a body corporate and politic, under the name and style of "The Jacksonville, North-Western and South-Eastern Railway Company," with In force Feb'y 23, 1867.

Corporators.

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| Name and style | perpetual succession ; and, under this name and style, shall be capable of suing and being sued, pleading and being impleaded, defending and being defended against, in law and equity, in all courts and places whatsoever, in like manner as fully as natural persons ; may make and use a common seal, and alter and renew the same at pleasure ; and, by their said corporate name and style, shall be capable in law of contracting and being contracted with ; shall be and are hereby invested with all the powers, privileges, immunities, and franchises of receiving and disposing of real and personal estate, which may be needful to carrying into effect fully the purposes and objects of this act. And said company are hereby authorized and empowered to locate, construct and complete a railroad, commencing at Jacksonville, in Morgan county, thence to Sandoval, in Marion county, or to any other point on the Illinois Central Railroad, within ten miles of Sandoval, and thence to Shawneetown, on the Ohio river, or to any other point on said river or on the Wabash river north or south of said last mentioned town, to be determined by said company, with one or more tracks or lines of rails. Said company shall commence the construction of said road, in good faith, within five years, and shall complete the same within ten years. |
| Powers, etc. | |
| Time of commencement and completion of road. | § 2. The capital stock of said company shall consist of two millions of dollars, and may be increased by said company to ten millions, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in seven directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office 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 number to be president of the company, and shall have power to appoint or elect such other officers as they shall deem proper. |
| Capital stock. | |
| Government. | § 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a railroad as aforesaid, with all necessary sidetracks, turnouts, switches, depots, stations, and all necessary buildings, erections and structures : and for this purpose, they are hereby vested with all the powers necessary for the purchasing, taking, holding and selling and transferring property, real and personal, as natural persons, as the board of directors may deem necessary to carry out the objects of this act. |
| Powers and privileges of corporation. | § 4. For the purpose of acquiring the rights of way for the construction of said road, sidetracks and turnouts, and grounds for depots, stations and other buildings, erections and structures, and for the purpose of obtaining stone, gravel and other materials for building, ballasting or repair- |
| Possession of lands and real estate. | |

ing the same, and of a right of way to said material, the said company be and they are hereby authorized and empowered to take, condemn and use the same, under the provisions of an act to amend the law condemning the right of way for purposes of internal improvement, approved June 22, 1852.

§ 5. Said company shall have power to unite, connect or consolidate its railroad with any other railroad constructed or which may hereafter be constructed in this state, upon such terms as may be mutually agreed upon between the companies so uniting, connecting or consolidating; and, for that purpose, full power is hereby given to said company to make and execute such contracts with any other company as will secure the objects of such connection or consolidation; and the said corporation may furthermore lease or purchase, upon such terms as may be agreed upon, any other road or parts of road, either wholly or partially constructed, which may constitute or be adopted as part of their main line; and, by such lease or purchase, they shall acquire and become vested with all the rights and franchises pertaining to such road or part of road, so leased or purchased, in the right of way, construction, maintenance and working thereof. *Provided*, said corporation hereby created shall never consolidate or connect with any other railroad company except a continuous line.

Connections, etc

§ 6. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing, operating and maintaining their said railroad; and to issue and dispose of the bonds at such rate of interest and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises, or convey the same by deed of trust to secure the payment of any debt contracted by said company for the purpose aforesaid; and the directors of said company may confer on any bondholder of any bond issued for money borrowed, as aforesaid, the right to convert the principal due or owing thereon into stock of said company, at any time, and may, further authorize the holder of any such bond to vote at any and all elections for the election of officers of said corporation, under such regulations as the directors of said company may see fit to adopt; and any such bonds that may be sold or disposed of at a less rate than par shall be as valid and binding upon said company as if the same were sold for the par value thereof.

Indebtedness.

§ 7. All the corporate powers of said company shall be vested in and exercised by a board of directors, to consist of seven members, and such officers, agents and servants as they shall appoint. Vacancies in the board of directors may be filled by a vote of two-thirds of the directors remaining—such appointees to continue in office until the next annual election of directors; which said annual election

Appointment of directors, etc.

shall be held at such time and place as may be designated and fixed by the by-laws of said company—thirty days' printed notice being given in two newspapers having circulation along the line of said railroad.

Commissioners
—their duties.

§ 8. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of them, after a meeting, duly called by thirty days' notice thereof in three public newspapers published on or near the route of said road, shall meet and proceed to open books and receive subscriptions to the capital stock of said company. Ten dollars for each share subscribed shall be paid on subscribing; and whenever fifty thousand dollars shall have been subscribed, the subscribers may organize said corporation and proceed to the election of directors; and when the directors of said company are chosen, the said commissioners shall deliver the said subscription books, with all sums of money received by them as commissioners, to said directors. No person shall be a director who shall not be a stockholder, and each stockholder shall be entitled to one vote for each share of stock he shall hold upon which all calls have been paid. The directors of said company, after the same is organized, shall have power to open books to fill up the capital stock of said company, or any part thereof, at such time as they may deem expedient; and all installments required to be paid on the stock originally subscribed, or what may be taken to increase said capital, shall be paid at such time and in such amounts as said directors may prescribe: *Provided*, that subscriptions of stock may be made to said company in lands, at their cash value at the time of subscription, as may be agreed upon between the subscribers and the directors of said company; such subscriptions to be designated on the books as a land subscription, and to be considered as paid by conveyance of such land to the company: *And, provided, also*, that owners of land along or near the line of said road may be authorized to subscribe stock, and to secure payment of the same by promissory note and mortgage; such note to draw eight per cent. interest, payable semi-annually from and after the road shall have been completed, through, to or parallel with the mortgaged premises, or any part thereof, with the privilege to the maker to discharge the principal at pleasure; such subscription to be designated on the books as a mortgage subscription, and to be free from all calls upon stock. Such subscribers, however, shall have no right to vote as stockholders in said corporation, until interest shall have become payable upon such subscriptions: *And, provided, further*, that said corporation shall dispose of all lands to which it may acquire title or fee other than such real estate as it may acquire for the use and operations of said road as in this act provided, within five years after the acquisition thereof. Whenever it shall be necessary for the construction of said

railroad to intersect or cross the track of any other railroad or stream of water, or water course, or road, or highway, on the route of said road, it shall be lawful for the company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water, water course, road or highway intersected or crossed, to its former state, or in a sufficient manner not materially to impair its usefulness.

§ 9. That the right of way and the real estate for the right of way, and for the purpose aforesaid, purchased or acquired by said company, whether by agreement or otherwise, or which shall become the property of the company by operation of law, as in this act provided, shall, upon the payment of the money agreed or adjudged to be paid to the owner or owners of said land, as a compensation for the same, become the property of said company in fee simple.

Other rights
conferred.

§ 10. That all the rights, privileges and advantages, with the limitations and restrictions conferred upon the Illinois Central Railroad Company; also, the rights, privileges and advantages, with their limitations, conferred by an act entitled "An act to provide for a general system of railroad incorporations," approved November 5, 1849, and the several acts amendatory thereof, except as hereinafter qualified, are hereby conferred upon the Jacksonville North-Western and South-Eastern Railway Company. And cities and counties shall be entitled to subscribe for stock in said company, in like manner and with like effect as is provided in the said acts referred to and acts amendatory thereof.

§ 11. To further aid in the construction of said road by said company, any town under township organization, in any county through which the line of said railway may run, may subscribe to the capital stock of said company, in any sum not exceeding fifty thousand dollars.

Township sub-
scription.

§ 12. No such subscriptions shall be made until the question has been submitted to the legal voters of the town in which the subscription is proposed to be made; and the clerk of each of said towns is hereby required, upon the presentation of a petition, signed by at least ten citizens who are legal voters and tax-payers of the town for which he is clerk, in which petition the amount proposed to be subscribed shall be stated, to post up notices in at least three of the most public places in said town, which notices shall be posted not less than ten days before the day of holding such election, notifying the legal voters of said town to meet at the usual places of voting, or some other convenient place in said town, for the purpose of voting for or against such subscriptions; but no such vote shall be taken unless at a regular election for town and county officers.

Subscription to
be determined
by vote.

§ 13. If it shall appear that a majority of all the legal voters have voted "For subscription," it shall be the duty

Duties of
supervisors.

of the supervisor of each of said towns that shall vote for such subscription, to subscribe to the capital stock of said railroad company, in the name of the town for which he is supervisor, the amount so voted to be subscribed, and to receive from said company the proper certificates therefor. He shall also execute to said company, in the name of said town, bonds bearing interest not to exceed ten per cent. per annum, which bonds shall run for a term of not less than five nor more than twenty years; and the interest on the same shall be made payable annually; and which bonds shall be attested by the clerk of the town in whose name the bonds are issued, and it shall be his duty to make a record of the issuing of said bonds. Said bonds shall be delivered to the president or secretary of said railroad company, for the use of said company.

Duties of
town clerk. :

§ 14. It shall be the duty of the clerk of each of said towns in which a vote was given for subscription, within ten days thereafter, to transmit to the county clerk of the county in which said towns are [located], a transcript or statement of the vote given, and the amount voted to be subscribed, and the rate of interest named in the bonds.

Computation
and assessment
of property.

§ 15. It shall be the duty of the county clerk, annually thereafter, to compute and assess upon all taxable property returned by the assessor of each of said towns which have voted to subscribe a sufficient sum to pay the interest on all bonds issued by the respective towns; which taxes shall be extended upon the collector's books as other taxes are, and shall be collected in the same manner that other taxes are collected, and, when collected, shall be paid into the county treasury as county taxes are paid.

Duties of trea-
surer.

§ 16. It shall be the duty of the treasurer of said county to pay out, on the presentation to him of the bonds issued by any town, as aforesaid, the amount due upon each of said bonds, as interest, out of any money in his hands for that purpose, and indorse the payment upon said bonds, or take such voucher as he may prescribe. He shall also keep an account with each town of all money received by him and paid on account of said towns, which account shall, at all times, be opened to inspection by all persons wishing to examine the same.

Election for
officers.

§ 17. At all elections for officers, and on all questions voted upon by the stockholders of said company, the supervisors of the town or towns who may subscribe to the stock of said company shall represent and cast the vote which said stock is entitled to.

Provisions of
previous acts
applicable to
this.

§ 18. The provisions of an act entitled "an act supplemental to an act entitled 'An act to provide for a general system of railroad incorporation,'" approved November 6, 1849, and also of "An act to facilitate the construction of railroads," approved March 1, 1854, are hereby declared and made applicable to each and every town now incorpo-

rated, or that may hereafter be incorporated, situated at either end or near the line of said railway, as it may hereafter be surveyed and located; and the corporate authorities of any such town may order an election or elections to be held in such town, by the legal voters thereof, upon the question whether the town in its corporate capacity will, or will not subscribe to the capital stock of said railway company, any sum not exceeding fifty thousand dollars; and, in case any such election shall be held, the same shall be conducted as the town elections; and if, at any such election, a majority of the voters voting shall be in favor of making such subscription, the provisions of the two acts recited in this section, and also of all other general laws relating to subscriptions by counties or cities to the capital stock of railroad companies, shall apply to and govern the corporate authorities of such town in making such subscriptions, so far as the same is applicable; and in all the subsequent proceedings relating thereto, and the rights of such town against said company, shall be the same, with the like remedies to enforce such rights as the rights and remedies of counties in cases of county subscriptions.

§ 19. The road to be constructed by said company may be divided into two divisions. That portion of the road between Jacksonville and the Illinois Central Railroad shall be designated the first division; and that portion between the Illinois Central Railroad and the Ohio or Wabash river shall be designated the second division; and subscribers, either individual or corporate, to the stock of said company, may designate upon which division of said road such subscriptions shall be applied; and said corporation shall faithfully apply such subscriptions to the division thus designated; but any surplus of stock subscribed for the benefit of said road, remaining after the construction of said division, may be applied by said company in aid of the construction of the other division; and said corporation is authorized and empowered to locate, construct and operate said railway in and through either one of said divisions only, without so locating, constructing and operating through the other division, as said corporation may determine, and, for that purpose, shall have all the rights, powers, privileges and immunities granted by this act.

§ 20. Any railroad company with whose road the aforesaid road may intersect or connect, is hereby authorized and empowered to subscribe to the capital stock of this company any sum not exceeding one hundred thousand dollars, and shall have the same rights, privileges and powers as other stockholders in this company, and shall be subject to the same conditions, restrictions and limitations as other stockholders therein.

Designation of
divisions.

Subscription to
stock by rail-
road companies

Stockholders'
liabilities.

§ 21. No stockholder, whether corporate or natural person, shall be otherwise liable upon his, her or their subscription of stock, than for the amount of their respective subscriptions of stock to said company, and according to the calls of the directors, as hereinbefore provided.

§ 22. This act shall take effect from and after its passage.

APPROVED February 23, 1867.

In force April 28, 1867. AN ACT to amend an act entitled "An act to incorporate the Northern Railway Company."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, Section two of an act entitled "An act to incorporate the Northern Railway Company," approved February 15, 1865, is hereby amended so as read as follows: "The said corporation shall have power and is hereby authorized to locate, construct, maintain and operate a railroad, from the city of Chicago, northwesterly, to such point on the state line, between the states of Wisconsin and Illinois, as may be found most eligible for connection with the Western Union Railroad or other railroads in Wisconsin, already constructed or which may hereafter be constructed; and which connecting road may be independent of any other direct route to Chicago: *Provided*, that said Northern Railway Company, its successor or successors, shall locate and construct said railroad upon the most direct practicable air line between the city of Chicago and the said point upon the state line, between the states of Wisconsin and Illinois, which may be fixed upon by said company, and that said railroad, when located and constructed, shall cross Fox river in the town of Goodale, in Lake county, at or near the crossing known as Nippersink Crossing.

Consolidation of capital stock.

"§ 2. The said corporation shall have the right and is hereby empowered to consolidate its capital stock, rights, franchises and property with the capital stock, rights, franchises and property, of the Western Union Railroad Company of Wisconsin, or its successors, or with the capital stock, rights, franchises and property of any other connecting railroad, excepting any corporation which shall already possess and control a line connecting with the city of Chicago, from the northwest. Said corporation may sell or lease its road in like manner with all its rights, franchises and property, and may become the purchaser or lessor of such connecting road with which it is empowered to consolidate, and shall have power in such consolidation, sale or purchase, as is hereby authorized, to form a new company, under a new name, as may be agreed upon, which

new company shall have all the powers of each of the consolidated companies. The first board of directors shall be chosen as the directors of the companies consolidating their capital stock shall direct and agree; and all subsequent boards, to be elected as herein provided for or as shall be provided by the by-laws of said company; but no consolidation shall be legal nor the sale or transfer of the permanent rights and privileges of said company or purchase of or by said company, without the assent of the majority in interest of stock voting in favor of said consolidation, purchase, sale or transfer, at an annual or regularly called meeting of the stockholders, or unless a majority in interest of the stockholders shall first give their written assent thereto: *Provided*, said Northern Railway Company shall never consolidate, connect, sell, or lease its road, or any part thereof, with or to the North Western Railway or any of its branches, nor shall said Northern Railway ever be sold to any party or parties or company unless said party or parties purchasing shall stipulate and guarantee to build said road.”

Proviso.

APPROVED February 28, 1867.

AN ACT to incorporate the South Western Branch Railroad Company. In force Feb'y 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Justus Bangs, David S. Smith, J. R. Wells, Charles Harrison, H. B. Barritt, John W. Smith, A. C. Bangs, Charles Tryon, Thomas H. Payne, H. N. Owen, Richard Bishop, Stebbings Ford, and Robert Harrison, and L. M. Kimball, and their associates and successors, are hereby created a body corporate and politic, under the name and style of “The South-Western Branch Railroad Company,” with perpetual succession; and, under this name and style, shall be capable of suing and of being sued, pleading and of being impleaded, defending and being defended against, in law and in equity, in all courts and places whatsoever, in like manner and as fully as natural persons; may make and use a common seal, and alter and renew the same at pleasure; and, by their said corporate name and style, shall be capable, in law, of contracting and of being contracted with; shall be and are hereby invested with all the powers, privileges and franchises and immunities of receiving and disposing of real and personal estate, which may be needful to carrying into effect fully the purposes and objects of this act; and said company are hereby authorized and empowered to locate, construct, maintain and operate a railroad from the city of Chicago northwesterly to, at or near the village of

Corporators.

Name and style,

Powers, etc.

- Location. Wauconda, in the county of Lake, thence northwesterly to, at or near the village of McHenry, in McHenry county, thence to the state line, between the states of Wisconsin and Illinois; and said company may connect with any railroad leading out of the city of Chicago, said route to be determined and located by said company within two years from the passage of this act, with one or more tracks or lines of rails. Said company shall commence the construction of said railroad within two years and shall complete the same within ten years.
- Capital stock. § 2. The capital stock of said company shall consist of one million dollars, and may be increased, by said company to five millions, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be vested in seven directors, who shall be chosen, annually, by the stockholders of said company, in the manner hereinafter provided, who shall hold their office 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 number to be president of the company, and shall have power to appoint or elect such other officers as they shall deem proper and necessary.
- Direction of. Authority to construct and complete road. § 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a railroad, as aforesaid, with all necessary side-tracks, turn-outs, switches, depots, stations and all necessary buildings, erections and structures, and, for this purpose, they are hereby vested with all the powers necessary for the purchasing, taking, holding, selling and transferring property, real and personal, as natural persons, as the board of directors may deem necessary to carry out the objects of this act.
- Condemn lands § 4. For the purpose of acquiring the rights of way for the construction of said road, side-tracks and turn-outs and grounds for depots, stations and other buildings, erections and structures, and for the purpose of obtaining stone, gravel and other materials for building, ballasting or repairing the same, and of a right of way to said material the said company be and they are hereby empowered and authorized to take, condemn and use the same, under the provisions of "An act to amend the law condemning the rights of way for purposes of internal improvement," approved June 22, 1852, and the acts amendatory thereof.
- Connections. § 5. Said company may connect their road with any other railroad which has been or which may hereafter be constructed in this state, upon such terms as may be mutually agreed upon by the companies so connecting; and the said corporation may furthermore lease out their road, for any number of years, to any railroad in this state, or may lease or purchase, upon such terms as may be agreed upon,

any other road or parts of road, either wholly or partially constructed, which may constitute or be adopted as part of their main line; and, by such lease or purchase, they shall acquire or become vested with all the rights and franchises pertaining to such road or part of road so leased or purchased, in the right of way, construction, maintenance and working thereof.

§ 6. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, furnishing, operating and maintaining their said railroad, and to issue and dispose of the bonds, at such rate of interest and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises, or convey the same, by deed of trust, to secure the payment of any debt contracted by said company for the purposes aforesaid; and the directors of said company may confer on any bondholder of any bond issued for money borrowed, as aforesaid, the right to convert the principal due or owing thereon into stock of said company, at any time, and may further authorize the holder of any such bonds to vote at any and all elections for the election of officers of said corporation under such regulations as the directors of said company see fit to adopt; and any such bonds that may be sold or disposed of at less rate than par, shall be as valid and binding upon said company as if the same were sold for the par value thereof. Indebtedness.

§ 7. All corporate powers of the said company shall be vested in and exercised by a board of directors, to consist of seven members and such officers, agents and servants as they shall appoint. Officers, etc. Vacancies in all of the board of directors may be filled by a vote of two-thirds of the directors remaining—such appointees to continue in office until the next annual election of directors; which said annual election shall be held at such time and place as may be designated and fixed by the by-laws of said company, thirty days' printed notice being given in two newspapers having circulation along the line of the said railroad. Vacancies.
Elections.

§ 8. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of them, after a meeting duly called by thirty days' notice thereof in two newspapers, one published in the county of Lake and the other in the county of McHenry, shall meet and proceed to open books and receive subscriptions to the capital stock of said company. Ten dollars for each share subscribed shall be paid on subscribing; and whenever fifty thousand dollars shall have been subscribed, the subscribers may organize said corporation and proceed to the election of directors; and when the directors of said company are chosen the said commissioners shall deliver the said subscription books, with all sums of money received Commissioners
Stock subscription.
Organization

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| Votes. | by them as commissioners, to said directors. No person shall be a director who shall not be a stockholder; and each stockholder shall be entitled to one vote for each share of stock he, she or they shall hold upon which all calls have been paid. The directors of said company, after the same is organized, shall have power to open books to fill up the capital stock of said company or any part thereof, at such times as they may deem expedient; and all installments required to be paid on the stock originally subscribed or what may be taken to increase said capital shall be paid at such times and in such amounts as said directors may prescribe: <i>Provided</i> , that subscriptions of stock may be made to said company in lands, at their cash value at the time of subscription, as may be agreed upon between the subscriber and the directors of said company—such subscriptions to be designated on the books as a land subscription and to be considered as paid by a conveyance of such land to the |
| Payments. | company: <i>Provided</i> , that said corporation shall dispose of all lands to which it may acquire title or fee, other than such real estate as it may acquire for the use and operations of said road, as in this act provided, within five years after the acquisition thereof. Whenever it shall be necessary for the construction of said railroad to intersect or cross the track of any other railroad or stream of water or water course or road or highway, on the route of said road, it shall be lawful for said company to construct their railroad across or upon the same: <i>Provided</i> , that the company shall restore the railroad, stream of water, water course, road or highway intersected or crossed to its former state or in a sufficient manner not materially to impair its usefulness. |
| Proviso. | |
| Proviso. | |
| Right of way. | § 9. The rights of way and the real estate for the right of way and for the purpose aforesaid, purchased or acquired by said company, whether by agreement or otherwise, or which shall become the property of the company by operation of law, as in this act provided, shall, upon the deposit with the county treasurer of the money agreed or adjudged to be paid to the owner or owners of said land, as a compensation for the same, become the property of said company in fee simple. |
| Conferred rights. | § 10. That all rights, privileges and advantages conferred by an act entitled "An act to provide for a general system of railroad incorporation," approved November 5, 1849, and the several acts amendatory thereof, except as hereinafter qualified, are hereby conferred upon the south-Western Branch Railroad Company;" and cities and counties shall be entitled to subscribe for stock in said company in like manner and with like effect as is provided in the said act referred to and acts amendatory thereof: <i>Provided</i> , also, that the board of supervisors of McHenry and Lake counties may, after submitting the question to the people, subscribe for stock in said company, payable in lands, to be |
| Proviso | |

taken upon such terms and conditions and be conveyed in such manner as the said boards of supervisors, respectively, and the company may agree upon: *And, provided, also,* Proviso. that such powers to subscribe for stock on the part of said counties, payable in lands, shall not be restricted in amount or value to one hundred thousand dollars, nor shall such right of subscription in lands in any manner impair the power of said counties to make a money subscription of one hundred thousand dollars to said company, under the provisions of said act to provide for a general system of railroad incorporations and acts amendatory thereof: *Provided,* Proviso. that a land subscription shall not in any way impair the right or derogate from the power to make a money subscription.

§ 11. To further aid in the construction of said road by said company any town, under township organization, in Lake or McHenry counties, Illinois, may subscribe to the capital stock of said company in any sum not exceeding one hundred thousand dollars. Corporation subscription.

§ 12. No such subscription shall be made until the question has been submitted to the legal voters of the town in which the subscription is proposed to be made; and the clerk of each of said towns is hereby required, upon the presentation of a petition signed by at least ten citizens, who are legal voters and tax payers of the town for which he is clerk, in which petition the amount proposed to be subscribed shall be stated, to post up notices in at least three of the most public places in said town, which notices shall be posted up not less than ten days before the time of holding such election, notifying the legal voters of said town to meet at the usual places of voting in said town for the purpose of voting for or against such subscriptions; but no such vote shall be taken unless at a regular election for town or county officers. Subscription determined by vote.

§ 13. If it shall appear that a majority of all the voters have voted "For subscription," it shall be the duty of the supervisor of each of said towns that shall vote for such subscription to subscribe to the capital stock of said railroad company, in the name of the town of which he is supervisor, the amount so voted to be subscribed, and to receive from said company the proper certificates therefor; he shall also execute to said company, in the name of said town, bonds bearing interest not to exceed ten per cent. per annum, which bonds shall run for twenty years, and the interest on the same shall be made payable annually, and which bonds shall be attested by the clerk of the town in whose name the bonds are issued, and it shall be his duty to make a record of the issuing of said bonds. Said bonds shall be delivered to the president or secretary of said railroad company, for the use of said company. Duties of supervisors.

Duties of
town clerk.

§ 14 It shall be the duty of the clerk of each of said towns in which a vote was given for subscription, within ten days thereafter, to transmit to the county clerk of his county a transcript or statement of the vote given, and the amount voted to be subscribed, and the rate of interest named in the bonds.

Assessments.

§ 15. It shall be the duty of the county clerk, annually, thereafter, to compute and assess upon all taxable property returned by the assessor of each of said towns which have voted to subscribe, a sufficient sum to pay the interest on all bonds issued by the respective towns in his county; which tax shall be extended upon the collector's books; as other taxes are, and shall be collected in the same manner that other taxes are collected, and, when collected, shall be paid into the county treasury as county taxes are paid.

Duties of coun-
ty treasurer.

§ 16. It shall be the duty of the county treasurer of each of the several counties hereinbefore named to pay out, on the presentation to him of the bonds issued by any town in his county, as aforesaid, the amount of interest due upon each of said bonds, out of any money in his hands for that purpose, and indorse the payment upon said bonds or take such voucher as he may prescribe. He shall, also, keep an account with each town of all money received by him and paid on account of said towns, which account shall at all times be open to inspection by all persons wishing to examine the same.

§ 17. At all elections of officers and upon all questions voted upon by the stockholders of said company, the supervisor of the town or towns, who may subscribe to the stock of said company, shall represent and cast the vote which said stock is entitled to.

Divisions of
road.

§ 18. The road to be constructed by said company shall be divided into three divisions. That portion of the road between Chicago and the southern line of Lake county shall be designated the first division; and that portion within the boundaries of Lake county shall be designated the second division; and that portion between the western boundary of Lake county and the state line shall be designated the third division. And subscribers, either individual or corporate, to the stock of said company, may designate upon which division of said road such subscription shall be applied; and said corporation shall faithfully apply such subscriptions to the division thus designated; but any surplus of stock subscribed for the benefit of any one section of said road remaining after the construction of said section may be applied by said company in aid of the construction of any other section.

First.

Second.

Third.

Application of
subscription.

Connections.

§ 19. Any railroad company with whose road the aforesaid road may intersect or connect is hereby authorized and empowered to subscribe to the capital stock of this company any sum not exceeding one hundred thousand dollars,

and shall have the same rights, privileges and powers as other stockholders in this company, and shall be subject to the same conditions, restrictions and limitations as other stockholders therein.

§ 20. No stockholder, whether corporate or natural person, shall be otherwise liable upon his, her or their subscription of stock than for the amount of their respective subscriptions of stock to said company and according to the calls of the directors, as herein before provided.

Stockholders' liabilities.

§ 21. The said corporation hereby created shall have the right and it is hereby authorized and empowered to consolidate its capital stock, rights, franchises and property with the capital stock, rights, franchises and property of the Western Union Railroad Company of Wisconsin and Illinois, or its successors, or with the capital stock, rights, franchises and property of any other connecting railroad with which it may connect at the state line of Wisconsin : *Provided, however,* it shall not consolidate with the North-Western Railway or any of its branches : *And, provided, further,* that such connecting railroad with which it does consolidate shall form a continuous line with the main line of the South Branch Railroad, and shall not be a competing line, and that a majority of interest of the stock in both roads consolidated shall consent thereto : *And, provided, further,* that the interest of non-consenting stockholders to the same shall in nowise be impaired or taken away.

Consolidation of stock and franchises.

Proviso.

Proviso.

§ 22. The said corporation may take and transport upon said railroad any person or persons, merchandise 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, subject, however, to such regulations and restrictions as have been or may hereafter be established by the laws of this state of a general application.

Business and operations.

Rates of toll.

§ 23. This act shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Joliet and Aurora Railroad Company.

In force Feb'y 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Daniel Valentine, James W. Eddy, William Coffin, Augustus M. Herrington, and Eugene Canfield, of the county of Kane; John W. Chapman, John S. Seeley and Rufus Gray, of the county of Kendall; and Jonathan Hager, Elihu Corbin,

Corporators.

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|------------------------------|---|
| Name and style | Sherman W. Bowen, Henderson Howk, and Otis Hardy, of the county of Will, and their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Joliet and Aurora Railroad Company," and by that name may be and are hereby made |
| Powers. | capable, at law or in equity, to sue and be sued, plead and be impleaded, defend and be defended unto in any court of law or equity, and in all places whatsoever; may make, have and use a common seal, and the same renew and alter at pleasure; and shall be capable of contracting and being contracted with; and they are hereby authorized to make and ordain all necessary rules and regulations or by-laws, for the carrying out of the purposes of this act, and to alter or change the same at pleasure; and shall be and are hereby invested with all the powers, privileges, immunities and franchises, including the acquiring, by purchase or otherwise, and holding or conveying real and personal estate, which may be needful to carry into full effect the purposes and objects of this act. |
| Capital stock. | § 2. The capital stock of said company shall be one million of dollars, which may be increased, by a vote of the board of directors of said company, to any sum not exceeding the actual cost of the construction and operation of said road—all which capital stock to be divided into shares of one hundred dollars each; which shall be deemed personal property, and may be subscribed for, issued and transferred in such manner as the board of directors may prescribe. |
| Power to survey and locate | § 3. Said company shall have power to survey, locate, establish, construct, complete, use, operate, alter and maintain a railroad, with one or more tracks, commencing at some point to be hereafter located by said company, in the city of Joliet, in said county of Will; thence, by way of the village of Plainfield, on the most practicable route, crossing Fox river at some point between the southerly corporate limits of the city of Aurora, in the county of Kane, and a point one mile southerly, along said Fox river, from the bridge over said river at Oswego, in said county of Kendall, to some point, to be hereafter located by said company, within the limits of the West Division of the city of Aurora, in said county of Kane, with the power to extend the same from such point so as to connect with the Northwestern railroad at Geneva, in said county of Kane, with all such appendages, to wit: side-tracks, turn-outs, switches, depots, depot grounds, stations, wells, water-tanks, buildings, erections and structures and such other appendages, as shall be necessary for the construction and operation of said road. Said company are hereby empowered to lay out, take, hold and use, for the ordinary track of said railroad, the width of one hundred feet along its entire route, and such additional grounds as shall be necessary for its said appendages; and in case of embank- |
| Appendages. | |
| Possession and use of lands. | |

ments, cuttings or crossings, if more than said one hundred feet shall be necessary, then said company may take, hold and use as many more feet, in width, at such places as shall be necessary for the proper construction and security of said road; and said company are likewise hereby empowered to take, hold and use the grounds of stone and gravel in section four hereof mentioned, and the right of way thereto.

§ 4. Said company is hereby authorized, by its agents, surveyors or engineers, to enter upon any lands, and make all necessary examinations and surveys along or near the proposed route, for the location of said railroad and appendages, and shall be responsible only for the actual damages done to any such lands in so doing; and in case said company shall not be able, by purchase or voluntary cession, to acquire the right of way and grounds for said railroad and appendages, and grounds of stone and gravel, for the purpose of building, ballasting or repairing the same or any of them, or any part thereof, and the right of way to such grounds of stone or gravel, said company are empowered to take, condemn, and use or otherwise obtain and use the same, respectively, under the provisions of "An act for condemning the right of way, etc., for purposes of internal improvement," approved June 22, 1852, or under any other of the laws in this state, that may be in force in that behalf, authorizing the appropriation of lands or rights of way for such purposes.

Examination
and surveys.

§ 5. The rights of way and other real estate, purchased by said company for any of the purposes aforesaid, shall be held by them in fee simple; and any such rights of way or real estate, taken, condemned or appropriated as aforesaid shall upon due fulfillment by said company of the conditions prescribed by law, to be by them performed or observed to entitle them to such property, shall also be held by said company in fee simple.

Right of way.

§ 6. The said company is hereby authorized, from time to time, to borrow such sum or sums of moneys, not exceeding the capital stock of said company, as may be necessary for the completing, equipping, furnishing, maintaining or altering their said railroad, and to issue and dispose of their bonds at such rates of interest, not exceeding ten per cent. per annum, and at such discount as may be thought for the benefit of the company, and to mortgage their corporate property and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purposes aforesaid or any of them; and the directors of said company may, at any time, confer on the holder of any such bond the right to convert the principal due or owing thereon into stock of said company; and any such bonds that may be sold or disposed of, at a less rate than par, shall be as bind-

Indebtedness.

ing and valid upon said company as if the same were sold for the par value thereof.

Consolidations
and connect'ns

§ 7. Said company shall have power to unite or connect its railroad, or any part thereof, with any other railroad constructed or which may hereafter be constructed in this state, upon such terms as may be mutually agreed upon by and between the several companies; and for that purpose full power is hereby given to the company hereby incorporated to do all such acts and execute all such instruments as may be necessary or advisable to effect such union or connection, as the case may be: *Provided*, that at any annual meeting of the stockholders, three-fourths, in value, of them shall vote for such connection.

Proviso.

Directors.

§ 8. All the corporate powers of said company shall be vested in and exercised by a board of nine directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, and who shall hold their offices for one year, and until their successors are elected and qualified; and shall have power to appoint all such officers, agents and servants as shall be necessary for the transaction of the business of the company. A majority of the directors present at any meeting of said board shall constitute a quorum to do business. None but stockholders shall be eligible as directors. Vacancies occurring in the board of directors, between elections, shall be filled by the board at any legal meeting thereof; and each person, so elected to fill a vacancy, shall thenceforth be and continue in office for the remainder of the term as if elected at the last preceding annual election.

Annual meet-
ings.

Elections.

§ 9. A meeting of the stockholders of said company shall be held annually for the election of directors, and the time, place and manner of holding such elections, except the first election, which is hereinafter separately provided for, shall be fixed and determined by the by-laws, for the time being, of said company; but at such meeting the voting shall be done by ballot, and each stockholder, either in person or by lawful proxy, shall be entitled to one vote for each share of said capital stock he, she or they may, *bona fide*, hold, at the time of election; and the nine persons receiving the highest number of votes cast shall be declared elected.

Officers.

§ 10. The board of directors shall, out of their own number, elect a president and vice president of said board, whose powers and duties respectively shall be declared and determined by the by-laws of the company, for the time being.

Subscription to
stock.

§ 11. The incorporators hereinafter named are hereby appointed commissioners, who, or a majority of whom, are hereby authorized to open subscription books for said capital stock, at such place or places as they may deem proper, and shall give at least twenty days' public notice of times

and places when and where such books shall be opened ; and shall keep such books so opened until the sum of fifty thousand dollars of said capital stock shall be subscribed for ; and when the sum of fifty thousand dollars shall have been so subscribed for, the said commissioners shall call a meeting of said stockholders at the city of Aurora, in Kane county, in this state, to choose the first board of directors of said company, by giving twenty days' public notice of the time, place and object of such meeting ; and when such directors are chosen said commissioners shall deliver such subscription books, with all sums of money received by them, as such commissioners, to said directors. At the time and place so appointed for such meeting and election, the said commissioners, or a majority of them, shall attend and act as inspectors of said election, and the stockholders, by themselves, or a lawful proxy, shall proceed to and elect nine persons to compose said first board of directors, by ballot. Such election shall be determined by a majority of the votes cast, and the said inspectors, or a majority of them, shall certify the result of said election under their hands ; which certificate shall be recorded in the record book of said company, and shall be sufficient evidence, in all places, of such election of the directors therein named. Said first board of directors shall elect a chairman, to preside at their meetings, until they shall elect their president. The several notices required in this section to be given shall be given by publication in some two or more newspapers having circulation in the vicinity of said proposed railroad.

§ 12. Whenever it shall be necessary for the construction of said railroad, to intersect or cross a track of any other railroad, or any railroad, or any road, highway, lane, canal, stream of water or water course lying on the route of said proposed railroad, it shall be lawful for said company to construct their railroad across the same, respectively : *Provided*, that said company shall restore the same, respectively, thus intersected or crossed, to their former state, or in a sufficient manner so as not materially to impair their usefulness.

Crossings and intersections.

§ 13. It shall be lawful for the directors to make calls upon the sums subscribed to said capital stock at such times and in such manner as they shall deem fit, not exceeding ten per cent. per month, or a proportionate per centage for a longer period, giving at least thirty days' notice of each said call, in at least three newspapers published in the vicinity of said road ; and in case of failure of any stockholder to make payment of any such call for sixty days after the same shall have been due, the board of directors are hereby authorized to declare such stock, so in arrears, and all sums paid thereon, forfeited to the company, or said

Calls for stock.

directors may enforce the payment of the whole amount subscribed by such stockholders, according to law.

Time
of election.

§ 14. In case that it shall at any time happen that an election shall not be made at the time when, in pursuance of this act, it ought to be made, the said corporation shall not for that cause be dissolved, but such election shall be held at any other time directed by the by-laws of said corporation.

Time of com-
mencement
and completion
of road.

§ 15. Said company shall commence the construction of said railroad within five years, and complete the same, as aforesaid, within fifteen years from the passage of this act.

§ 16. This act shall be deemed a public act, and shall take effect from and after its passage.

APPROVED February 28, 1867.

In force Feb'y
28, 1867.

AN ACT to incorporate the La Salle and Chicago Railroad Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Kneeland T. Adams, E. Follett Bull, David L. Hough, John J. Page, Richard Cody, Levi Wertherim, Gabriel Ruger, Sedgewick Happ, John Hoxie, John A. Coy, W. M. Sweetland, G. N. Chittenden, J. Hager, J. R. Ashley, Horace M. Singer, E. D. Taylor, Wm. A. Bross, Volney G. Hatch, S. B. Carter, John Rockwell and Willis M. Hitt, and their associates, heirs and assigns, be and they are hereby created a body politic and corporate, by the name of "The La Salle and Chicago Railroad Company;" and, by that name, shall have perpetual succession, with full power to have and use a common seal, which they may alter, amend or renew at pleasure; and, by that name, may sue and be sued, plead and be impleaded, in all courts and places; and, by that name, may purchase, hold, possess, enjoy, control, mortgage and convey real or personal property.

Name.

Powers.

Railway privi-
leges, etc.

§ 2. The said company are hereby fully empowered to survey, grade, build, open and construct a single or double track railroad, with the appurtenances, and run such trains of cars and locomotives thereon as they may see proper from the city of La Salle, in La Salle county, through, over and across the most eligible route to the city of Chicago, in the county of Cook, and shall have full power to do all that shall in their judgment be necessary to build, construct and operate a railroad, with the necessary cars engines and running stock, between the points aforesaid.

Possession of
lands, timber,
etc.

§ 3. The said company are hereby fully invested with all the rights, power and privileges that are conferred upon any railroad company or companies that have been hereto-

fore organized in this state under any general or special law, and shall have full power to enter upon any lands over, through or upon which they may desire to build their proposed railroad, and to make all the necessary surveys; and in case they are unable to agree with the owner or owners of any tract or tracts of land over, through or upon which they may desire to build their said road, they shall have the power and are hereby fully authorized to condemn the right of way for their said railroad in the same manner provided for in the act to provide for a general system of railroad incorporations, approved November 5, 1849, and the several acts amendatory thereof or supplementary thereto; but nothing herein contained shall be so construed as to interfere with or infringe upon the vested rights of any railroad heretofore chartered or organized in this state.

Right of way,

§ 4. The said company shall be subject to any general law of this state, that has been heretofore or shall be hereafter passed in relation to tariff for freights or rates of fare for passengers, and to all rules and regulations that have been or shall be hereafter imposed by the legislature of this state upon railroad companies.

Subject to
general laws.

§ 5. The said company are hereby authorized to make connections with any of the railroads that now or shall hereafter run into said city of Chicago, and are also authorized to extend their road in a southwesterly direction and connect the same with any railroad or railroads running to St. Louis.

Connections.

§ 6. The capital stock of said company shall be three millions of dollars, which may be increased, from time to time, at the pleasure of said company and such sum as shall in their judgment be necessary to carry into effect the rights, privileges and franchises hereby conferred, and the same shall be divided into shares of one hundred dollars each, the holder of each share being entitled to one vote at all elections and meetings of the stockholders for each share of stock held by him or her, which may be cast either in person or by proxy, under such regulations as may be prescribed by the directors.

Capital stock.

§ 7. The affairs of said company shall be managed by a board of directors, consisting of not less than seven nor more than fifteen, to be chosen annually by the stockholders from persons holding stock in said company. The number of said directors may be fixed, within the limits above prescribed, by the stockholders, from time to time. Said directors shall choose one of their number as president; may prescribe his duties; and shall appoint such other officers and agents, from time to time, fixing their duties, as in their judgment shall be necessary, and shall make all necessary rules and regulations and by-laws for the transaction of the business of said company, and subject to any general law of this state; shall fix the tariff and rate of

Directors.

President.

By-laws, etc.

fare for carrying or transporting freight or passengers over their said road.

Indebtedness.

§ 8. Said company are hereby fully authorized to borrow such sum or sums of money as they may need, from time to time, not exceeding the amount of their capital stock, and may issue their bonds, with or without coupons, bearing a rate of interest not exceeding ten per cent., payable annually or semi-annually, pledging the revenues, real and personal property, rights, privileges and franchises of the company, for the payment thereof; which bonds may be sold upon the market for such sum as they will bring, or said company, in order to secure the re-payment of any sum or sums of money borrowed by them, may mortgage their real and personal property, rights, privileges and franchises.

Corporation
subscriptions.

§ 9. Any county, city, town or village along or adjacent to the line upon which said road may be built, may subscribe to the capital stock of said company such sums as they may see fit, not exceeding for either of such counties, cities, towns or villages, the sum of one hundred thousand dollars—such subscription to be made in the same manner now provided by the general law of this state in relation to railroad incorporations and the acts amendatory thereof or supplementary thereto; and, in case any such subscription shall be taken by towns, in counties that have adopted the township organization, the bonds of such town shall be executed and issued on behalf of the towns by the supervisor thereof—in counties not adopting the township organization, by the county commissioners; and for counties and cities the bonds shall be executed and issued by the same persons provided for in the general law in relation to railroad incorporations and the acts supplementary and amendatory thereof; and for villages such bonds shall be executed by the president of the board of trustees.

First directors.

§ 10. Kneeland T. Adams, E. Follett Bull, David L. Hough, John Rockwell, Willis M. Hitt, John J. Page, Gabriel Ruger, J. R. Ashley, G. N. Chittenden, H. M. Ginger, W. A. Bross, E. D. Taylor and Levi Wertherin shall constitute the board of directors for said company for the first year; and they shall continue in office until their successors shall be elected by the corporators herein named, their heirs, successors, associates or assigns; and any five of the above named directors may proceed to organize said company and open books for subscription to the stock thereof at such times and places as they may elect.

§ 11. This act shall be taken and deemed a public act, shall be liberally construed in all courts and places, and shall be in force and effect from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Rock Island and Galva Railway.

In force February 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Charles A. McLaughlin, Alfred Webster, and Archy Shaw, of the county of Rock Island, and J. I. Bennett, William H. Hoyt, Julius L. Hinman, William B. Dunkle, and Ambrose Denton, of the county of Henry, and their successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Rock Island and Galva Railway," and by that name may sue and be sued, plead and be impleaded, defend and be defended, in any court of law or equity in this state or any other place; to make, have and use a common seal, and the same to 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 is hereby authorized and empowered to locate, survey, construct and complete a railroad, with one or more tracks and the necessary switches, turn-tables, side-tracks, depots and other required buildings and structures, commencing at the city of Rock Island, in the county of Rock Island, in the state of Illinois, running thence by the most feasible route to the town of Galva, in the county of Henry and state aforesaid.

Corporators.

Name and style

Powers conferred.

§ 2. For the purpose of acquiring the right of way one hundred feet in width along the entire length of said road, for the construction of said road, with required side-tracks, turn-outs, switches and grounds for depots, stations and other necessary buildings, erections and structures, and for the purpose of obtaining stone, gravel or other materials, the said company is hereby authorized and empowered to take, condemn and use the same, under the provisions of "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, 1852; and should said road intersect or cross the track of any other railroad, water course or highway, it shall be lawful for said company to construct their road across or upon the same: *Provided*, that the said company shall construct their bridge over Rock river in such a manner as not to materially interfere with the navigation of the same, or with the use of a canal, which may hereafter be constructed by the state or by the United States, along said river.

Possession of lands, etc.

Intersections.

Proviso.

§ 3. The capital stock of said company shall be one million dollars, and may be increased, for the purpose of equipping and completing said road, to three millions, and no more.

Capital stock.

§ 4. The said company are authorized and empowered to borrow money, from time to time, to an amount not ex-

Indebtedness.

ceeding the capital stock of said company, as in their discretion may be deemed necessary to aid in the construction of said road; and to pledge and mortgage said road or any property, effects or franchises of the said company, as security for any such loan or loans; and the said mortgage or trust-deed, so executed by said company, may be payable to such person or persons and of such form, tenor and effect, consistent with the laws of this state, as to the directors of said company may seem advisable.

Stock subscrip-
tion.

§ 5. The incorporators named in this bill are hereby authorized to open subscription books for said stock, at such place as may be deemed proper, until an amount equal to one thousand dollars per mile of said road is subscribed, when they shall call a meeting of the stockholders, at the city of Galva, having first given twenty (20) days' public notice thereof, for the purpose of electing seven directors, to complete the organization of said company. At said election each stockholder shall be entitled to one vote for each share of stock held. The directors shall organize by the election of one of their number as president, and adopt such rules and by-laws, for the government of said company, as they may deem expedient, not conflicting with the laws and constitution of the state of Illinois.

Corporation
subscription.

§ 6. It shall be lawful for the counties of Henry and Rock Island, and the townships along the line of the proposed road, to subscribe to the capital stock of said company in the same manner and with like effect as is provided in an act entitled "An act to amend an act entitled 'an act to incorporate the Western Air Line Railroad Company,'" in force February 21, 1859, and sections 2 to 12, inclusive, are hereby incorporated and made a part of this act.

§ 7. This act shall be in force from and after its passage.

APPROVED February 28, 1867.

In force Feb'y 25, 1867. AN ACT to enable the Michigan Southern and Northern Indiana Railroad Company to acquire and hold real estate.

May hold real
estate, etc.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be competent and lawful for the Michigan Southern and Northern Indiana Railroad Company to acquire, either by purchase or in the manner provided in the "Act to amend the law condemning right of way for purposes of internal improvements," approved June 22, 1852, and the acts amendatory thereto, and to hold in fee simple or in the manner prescribed in said act, when acquired there under,

any such real estate which may be necessary and convenient for its stations, grounds, depots and other purposes connected with its business at Chicago, and required for the easy and convenient transaction of its passage and freight traffic, and for the easy connection of its trains with other railroads, and for such other purposes, connected with its business, as may require the use and occupancy of real estate; and the title to all such property shall be as good and valid as if the said company were a corporation, organized and doing business under the laws of this state: *Provided, however,* that the said company shall not, by reason of anything in this act contained, have the right to condemn or use, for right of way or otherwise, any street or alley or part thereof, within the city of Chicago, without first obtaining permission and authority so to do from the common council of said city.

§ 2. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Illinois River Valley Railroad Company.

In force March 11, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Murray McConnell and John W. Wescott, and whoever they may associate with them as corporators, and their successors, are hereby constituted a corporation, under the name and style of "The Illinois River Valley Railroad Company," and shall possess all the powers, privileges, immunities and rights incident to corporations and necessary to carry into effect the purposes and objects of this act. The said company is authorized and empowered to lay out, construct and operate a railroad, at a point on the Illinois river bottom, at or near the Illinois bluff, where the Toledo, Wabash and Western railroad passes the same, south of the Illinois river, to a point on the Mississippi river, opposite the city of St. Louis, in the state of Missouri, or to connect said road with the Chicago, Alton and St. Louis railroad at any point, north of the said terminus, opposite the said city of St. Louis that said company hereby incorporated may deem convenient for their and the public interest and good.

§ 2. The capital stock of said company shall be one million of dollars, which may be increased at any time to the actual cost of all the property of said company, including both real and personal, belonging to them, by a vote of the stockholders at any regular meeting of said stockholders. The capital stock of said company shall be divided

Corporators.

Name and style
Powers.

Capital stock.

Shares of.

ded into shares of one hundred dollars each, and shall be assigned on the books of the company after said shares of stock are fully paid to the company, and no indebtedness against the holder due or to become due to said company.

Stock subscrip-
tion—commis-
sioners for.

§ 3. The persons named as corporators, and those they may select, shall be commissioners to open books of subscription to the stock of said company, at such time and places as they may deem proper, and whenever fifty thousand dollars of said stock may be subscribed, after notice being served on the stockholders, they may elect seven directors for said company, and there shall be an election for directors annually thereafter; and said directors first elected shall frame by-laws for the rules and government of said corporation, and each board of directors shall have power to choose a president for said corporation, vice president, treasurer and secretary, and such other officers as may be necessary to manage the business affairs of said corporation; and said officers shall hold their respective offices until their successors are elected and qualified.

Elections.

§ 4. Said by-laws framed by the first board of directors shall be adopted or rejected by a meeting of the stockholders, and at all meetings or elections each share of stock shall be entitled to one vote, and cast either in person or by proxy. Said by-laws shall provide for all officers or agents, collecting or receiving money belonging to said corporation, to give bond, with good security, for the faithful discharge of duty and the accounting for said money to the board of directors.

Bonds of
officers, etc.

Right of way.

§ 5. The said corporation is hereby authorized and empowered to enter upon all land, on the line of said road, from point to point, to determine, by surveys, the most proper and eligible line for said road, and acquire the right of way along said line, either by purchase, gift or grant, a strip of land fifty feet wide, on each side of said line; and, also, in addition, lands for earth, gravel and water, and the right of way to the same: and, also, as much land as may be necessary for wood-yards, ware-houses, grain and produce elevators, station houses, freight and passenger depots, and accommodations for the public shipping goods, wares, merchandise, grain and produce; and in case the said corporation can not agree with the owner or owners of land, for the said purposes, in purchasing the same, the said corporation is hereby authorized and empowered to enter upon said lands and condemn the same for the uses and purposes aforesaid. They shall not condemn, at each termini of said road, to exceed three acres of land, but may be condemned in such shape or form, down to low water mark on the Mississippi river, as said corporation may direct, for the good of the public convenience; and said corporation, in condemning said lands, they shall be entitled to all the benefits and governed by all the forms of an act entitled "An

Possession of
lands, etc.

act to amend the law condemning the right of way for the purposes of internal improvement," approved June 22, 1852.

§ 6. And said corporation is further empowered, that until their road is completed, to make contracts with any railroad company or person or corporation to carry for them, passengers and freight of all kinds and description, and to make contracts of that kind with the Chicago, Alton and St. Louis Railroad Company. And said company may commence to construct said railroad at any point on the same they may desire for the public good. Contracts.

§ 7. It shall be lawful for said company to receive at its depots and warehouses, and to transport passengers and freights of every kind, on said road; and the directors are authorized to frame such regulations, touching the transportation and delivery of passengers, baggage and commodities, as shall, in their opinion, tend to the safety of passengers and the security of property. Business and operations.

§ 8. The said company shall have power to borrow money for the construction and equipment of its road, and to build depots, station-houses and ware-houses to the amount of its capital stock at the time of said loan, and to issue bonds for the same, not to bear interest to exceed ten per cent. per annum; and, also, to execute mortgages on all the real and personal property belonging to said company; and said bonds shall be a lien, as well as said mortgages or deeds of trust given to secure the payment of money shall be a lien upon all the personal property and real estate belonging to said company from the date of their recording in the county where said property may be situated. And when any sale is made upon said liens, the purchaser shall become vested with all the rights, privileges, immunities and franchises belonging to said company. Indebtedness.

§ 9. The said corporation is hereby authorized to lay its tracks across any railroad track, street, road, lane or alley, by putting said road, street, lane or alley in good repair, so as not to impair its usefulness. Crossings, etc.

§ 10. The said corporation shall have power to unite its track with the track of any other railroad company, when the lines of said road admit of a continuous connection; and such railroad companies are authorized to contract with each other for running, connecting or for the use of the cars and machinery to carry merchandise, passengers or commodities of any kind to and from any point they may desire, or, for purpose of mutual business, to make arrangements of any kind. Connections.

§ 11. This act shall be taken and deemed a public act, and be in force from and after its passage.

APPROVED March 11, 1867.

In force March 1, 1867. AN ACT amendatory of an act entitled "An act to incorporate the Grayville and Mattoon Railroad Company," approved February 6, 1857.

Extension of
read.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Grayville and Mattoon Railroad Company shall have power and right to extend the railroad authorized by the act of their incorporation, from Olney to any point on the Wabash or Ohio river, and from Mattoon to Decatur, or to any other point or place north of Mattoon; and the board of directors of said company are authorized to change the name of the said company so that the same may be made to correspond with the ultimate location of the said road; and shall have the same rights and powers, subject to the same restrictions and conditions, with respect to every part of the said road, as the same may be extended as aforesaid.

Corporation'
subscription.

§ 2. Cities, towns and counties shall be authorized to subscribe for stock in the said company in like manner and with like effect as is provided in and by the act entitled "An act to provide a general system of railroad incorporations," approved November 5, 1849, and the several acts amendatory thereof: *Provided*, that the county court of any county may, having first submitted the question of subscription to the vote of the people of the county, subscribe for stock in said company, payable in lands or town or city lots, to be taken upon such terms and conditions and be conveyed in such manner as the said court and the said company may agree upon, and that the said subscription shall not exceed two hundred thousand dollars; and the said subscription may be made partly payable in lands and partly in money, as the said court and the said company may agree.

County court
subscription.
Bonds.

§ 3. Any county court subscribing for stock in the said company shall be authorized to issue bonds in payment for the same, in the name of the county, of such denominations as the said county may think fit, not exceeding, in the aggregate of the said bonds, the sum of two hundred thousand dollars, drawing interest at the rate of ten per centum per annum, payable semi-annually; the making and the issuing of the said bonds to correspond, in all other respects, with the provisions of the said act, approved November 5, 1849, and the several acts amendatory thereof.

Assessments
and taxes.

§ 4. The clerk of the county court of the proper county shall, from year to year, as long as may be necessary, add to the assessment of taxes upon all taxable property and rights in the county, an increased rate of assessment, sufficient to pay the interest accruing upon the bonds so issued by the county court; and the collector of the county shall

collect the same, in money, at the same time that he shall collect the other revenues; and shall, with all reasonable dispatch, pay the same over to the county treasurer, taking a receipt for the same; and the county treasurer shall pay over to the authorized holders of the said bonds, from time to time, as specified therein, seven-tenths of the ten per cent. interest called for by the said bonds, and retain the remaining three-tenths of the said ten per cent. interest as a sinking fund, which shall be applied by him, from time to time, in good faith, to extinguish and redeem the principal of said bonds: *Provided*, that the said seven-tenths of the interest accruing on the said bonds shall be paid to the authorized holders thereof in the city of New York.

Proviso.

§ 5. This act to take effect and be in force from and after its passage.

APPROVED March 1, 1867.

AN ACT to incorporate the Illinois Farmers' Railroad Company.

In force Feb'y
28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William M. Maddox, Robert Hoxsey, B L Dorsey, Sargeant Gobble and Isham J. Peebles, of Macoupin county, and E. W. Turner, John Epler, Benjamin C. Berry and J. K. Van Demark, of Cass county, and their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Illinois Farmers' Railroad Company," with perpetual succession; and by that name be and they are hereby made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in any court of law and equity in this state, 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 and are hereby vested with all the powers, privileges and immunities which are or may be necessary or convenient to carry into effect the purposes and objects of this act, as herein set forth.

Corporators.

Name and style

Powers.

§ 2. Said company is hereby authorized and empowered to locate, construct and complete and to maintain, equip and operate a railroad, with a single or double track, and with such appurtenances as may be deemed necessary by the directors for the convenient use of the same, from the town of Virginia, in Cass county, by the most eligible route, to the town of Du Quoin, Perry county, through the towns of Scottsville, Barr's Store, Chesterfield and Staunton, in Macoupin county; and, for this purpose, to enter upon and

Road privileges
and franchises

Line of road.

take a strip of land one hundred feet wide the entire length of said road, and to survey and determine the line of said road upon such route between said points; and shall have power and authority to regulate the time and manner in which goods and effects and persons shall be transported on the same, and prescribe the manner in which said railroad shall be managed, and the rate of toll for the transportation of persons and property thereon, and for the storage of merchandise and other property under its charge; and shall have power to provide all necessary stock and material for the operation of said road; and shall have power to erect and maintain all the necessary depots, stations, shops and other buildings and machinery for the accommodation, management and operation of said road.

Possession of
lands, etc.

§ 3. The said company is hereby authorized, by its engineers and agents, to enter upon any lands, for the purpose of making the necessary surveys and examinations of said line of road, and to enter upon and appropriate to its exclusive use and control all and singular any lands, streams and material of every kind for the location of depots and stopping stations, for constructing bridges, dams, embankments, excavations, station grounds, spoil-banks, turn-outs, engine houses, shops and other buildings necessary for constructing, completing, altering, maintaining, preserving and complete operations of said road; but when said lands, streams or materials belong to any person or persons, company or corporation, and can not be obtained by contract, grant or release, the same may be taken and paid for, if any damages are assessed, in the manner provided for taking lands for the construction of public roads, canals and other public works, as prescribed in the act condemning right of way, approved March 3, 1845, or in the manner and upon the principles provided and contained in "An act to amend the law condemning the right of way for purposes of internal improvements," approved June 22, 1852, or as provided in any other general act relating to the same subject; and when the damages assessed, if any, are paid or tendered, the said lands, streams and materials shall be vested in said company: *Provided*, that if the owners of any lands, streams or materials taken for the purposes provided in this section or in other sections of this act, shall appeal from the assessment of damages for taking the same, the said company may tender to the owner or pay to the clerk of the court to which the appeal is taken, for the use of the owner or owners, the amount of damages assessed, and file with the clerk of said court a bond, with security, to be approved by him, for the payment of such additional damage and costs as may be awarded against said company on the trial of said appeal, then said company may take possession of and hold for its exclusive use such lands, streams, or materials, in the same manner as if said [appeal] had not been

Materials.

Payment for.

Proviso.

taken: *Provided, further*, that a deposit of the amount assessed as damages, as aforesaid, with the clerk of the circuit court of the county where such lands etc., are situated, for the use of the owner of such lands, etc., shall be equivalent to a tender of such amount, so as to authorize said company to take and hold such lands. Proviso.

§ 4. The persons named in the first section of this act are hereby appointed commissioners, who, or a majority of whom, may open books for subscriptions to the capital stock of said company, giving notice of the times and places when and where said books will be opened, at least thirty days previous thereto, by publication in one newspaper published in each of the counties of Morgan, Maconpin and Cass, if there be a newspaper then published in each county. The said commissioners, or a majority of them, shall attend at the places appointed for the opening of said books, and shall continue to receive subscriptions, either personally or by such agent or agents as they shall appoint for that purpose, until the sum of one hundred thousand dollars shall have been subscribed; and as soon as said sum shall be subscribed, the said commissioners shall give twenty days' notice in a newspaper published in each of said three counties of an election, by said stockholders, of a board of directors, as herein provided for, for the management of said company's affairs. At such time and place so 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 three directors by ballot; and the commissioners present shall certify the result of such election, under their hands, which certificate shall be recorded in the record book of said company, and shall be sufficient evidence of the election of directors therein named. No person shall be a director who shall not have subscribed as many as five shares to the capital stock. The directors thus elected shall hold office for one year, and until their successors are elected and qualified. Said commissioners shall deliver said certificate and the subscription books and moneys received to said directors. Stock subscription.

Publication of notice of.

Notice of election of directors.

Election of directors.

§ 5. The capital stock of said company shall be five hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and may be increased by the board of directors of said company to any sum deemed necessary, in the discretion of said board, to complete the works herein authorized; and the same shall be subscribed for and taken, under the direction of said board, at such times and in such places and manner as the said directors shall from time to time direct. Capital stock.

§ 6. The affairs of said company shall be managed by a board of three directors, to be chosen, annually, by the stockholders, from among themselves. At all elections for Directors.

- directors, each stockholder shall be entitled to one vote for each share of stock held by him, and may vote personally or by proxy; and a plurality of the votes given at any election shall determine the choice. The directors shall hold their offices for one year after their election and until their successors are elected and qualified, and shall elect one of their number as president of said board. And in case of any vacancy occurring in said board between elections the same may be filled by the board at any legal meeting of the directors; and the person so elected to fill the vacancy shall hold his office until the next annual meeting of the stockholders. In case of the absence of the president of the board the directors shall have power to elect a president, *pro tempore*, who shall exercise, for the time being, all the legal powers of the president of said board. The board of directors may call special meetings of stockholders for the election of directors, if their number is increased, or for other purposes.
- President.** President *pro temp.*
- Vacancies.**
- Calls for stock.** § 7. It shall be lawful for the directors to make calls upon the sums subscribed to the capital stock of said company at such times and in such amounts as they shall deem fit, giving at least twenty days' notice of each of said calls, by personal notice or by publication in a newspaper in the county in which the stockholder resides or in which the subscription was made; and in case of failure on the part of any stockholder to make payment of any call, made as aforesaid by said directors, for sixty days after the same shall have been due, the said board of directors are hereby authorized to declare said stock so in arrears and all sums paid thereon forfeited to the company; or said directors may enforce the payment of the whole amount subscribed by any stockholder by suit.
- Stock in arrears.**
- Borrow money.** § 8. Said company is hereby authorized and empowered to borrow, from time to time, such sums of money as in their discretion may be deemed necessary to aid in the construction, completing, equipping, operating or repairing of said railroad, and to issue its bonds, payable within or without this state, bearing any rate of interest not exceeding ten per centum per annum, and to sell and dispose of the same at, above or below par, as may be agreed on for any amount so borrowed or obtained therefor; and all sales of bonds that may be made at less than their par value shall be good and valid and binding upon said company the same as if said bonds had been sold at par; and said company shall not have the right to put in a plea of usury in any action founded upon any of said bonds.
- Bonds — payment of—interest on.**
- Sales binding.**
- Connections.** § 9. It shall be lawful for said company to unite or connect with any other railroad or company which may have been or may hereafter be incorporated by this state on the line or route or at either terminus of its said road, and to grant to such company the right to construct or use

any portion of said road hereby authorized to be constructed, upon such terms as may be mutually agreed upon between said companies, and also to purchase or to lease all or any part of any other railroad which is or hereafter may be built in this state on the line or route of its road, sell its road franchises, real and personal property, to any other company or companies which may have been or may hereafter be incorporated by this state, upon such terms as may be mutually agreed upon between said companies.

Purchases and
leases.

§ 10. Said company shall have authority to construct its road on or across any stream of water, water course, road, highway, railroad or canal, which the route of said road shall intersect, but the company shall restore the stream or water course, road or highway, thus intersected, to its former state, or so near thereto as not to materially impair its usefulness. Whenever the said railroad shall intersect a road or highway the company shall have power to change the line of the road or highway if said change shall not materially impair the usefulness of such road or highway; and the company may take such additional lands as may be necessary for the change of said road or highway, making compensation therefor, to be ascertained as in other cases provided in this act.

Crossings, etc.

§ 11. Any person who shall willfully injure or obstruct said road, or any part of the appendages thereto, shall be deemed guilty of a misdemeanor, and shall forfeit to the use of the company a sum three-fold the amount of the damages occasioned by such injury or obstruction, to be recovered in an action of debt, in the name of said company, with costs of suit, before any justice of the peace, or before any court of record in this state.

Penalties, etc.

§ 12. Said company shall have power, by mortgage or deed of trust on its railroad and the rents and profits thereof, and on all or any part of the property, real or personal, or franchises owned by said company, to secure the payment of its bonds issued by virtue of the provisions of this act or such sums of money as said company may agree to pay, for all or any of the purposes connected with the construction or operation of its said railroad herein authorized to be constructed.

Payment of
bonds.

§ 13. Said company shall have power to make and ordain such rules and by-laws as may be necessary or expedient for the government of the company, its servants and agents; and the certificate of the secretary or principal clerk of the company, under the corporate seal of the company, shall be received in all courts and places as evidence of said rules and by-laws, the appointment of agents or officers, or of any order of the company, and also of the due organization thereof.

By-laws, etc.

§ 14. The board of directors shall have power to appoint all necessary clerks, secretaries, and all other officers and

Officers, etc.

agents necessary in the transaction of the business of said company.

Stock transferable, etc. § 15. The stock of said company is hereby declared to be personal property, and transferable in such manner as shall be provided by the by-laws of the company.

Donations. § 16. Said company shall have power to have, receive, hold, sell and dispose of any donations of real or personal property, for the use of the company, and to acquire, by purchase, and hold real estate, for the use of said company, in the constructing or operating said railroad, or to sell and convey the same, if found not necessary or proper to be retained.

Commencement of building road. § 17. Said company may commence building its road at any time within five years from the passage of this act, and shall own and operate such part as may be completed, notwithstanding the whole road may not be finished.

Subscription to stock. § 18. Said company is hereby authorized to receive subscriptions to its capital stock, payable at any time or in any manner that may be specially agreed upon by the company and the subscriber.

Question of subscription to be voted on. § 19. Elections may be held by or in any county, city or incorporated town, situated on or near the line of said railroad, as the same may be surveyed or located hereafter, upon the question whether such county, city or town shall subscribe for any specified amount in shares of the capital stock of said company. Twenty days' notice shall be given of the time of holding such election; and the election shall be conducted in the mode prescribed in an act entitled "An act supplemental to an act entitled 'an act to provide for a general system of railroad incorporations,'" approved November 6, 1849, or in the mode prescribed in any other general law relating to such elections, or in the mode in which county, city or town elections are usually conducted, and if a majority of the votes actually cast at any such election shall be "For subscription," it shall be the duty of

Notice of election. the county court, or board of supervisors, where township organization exists, or the corporate authorities of such county, city or town, to subscribe, without unnecessary delay, upon request of said company, for shares of said capital stock to the amount so voted, and to issue and deliver to said company, without unnecessary delay, the same amount as the stock so subscribed of the bonds of such county, city or town, as the case may be, payable at any time specified, in not exceeding twenty years from their date, with annual or semi-annual coupons, for not exceeding ten per centum interest per annum attached; which bonds and coupons may be made payable within or without this state, as said company may request; and the provisions of the above mentioned act, approved November 6, 1849, except such as are inconsistent with the provisions of this act, shall apply to and govern every election referred to in this section in get-

Manner of conducting.

Duty of county court.

ting up the election and the other matters connected with or growing out of such election, but this act shall govern said elections so far as it is applicable to them.

§ 20. It shall be the duty of such county court, board of supervisors, city or town corporate authorities, to order the holding of such election, and give notice thereof, upon being requested so to do by one-fourth of the legal voters of such county, city or town, as the case may be.

Corporation
elections.

§ 21. Said company may bring suit against any of its stockholders for capital stock or for any other claims or demands against stockholders or other persons in any county in which the stock may have been subscribed or in which the cause of action may have arisen or accrued, although the defendant or defendants may reside in a different county or counties; and no stockholder or officer of the company shall, on account of his being such stockholder or officer, be incompetent to testify as a witness or to act in any ministerial capacity in any suit or other legal proceeding in which the company may be a party: *Provided*, that nothing in this section shall authorize any person to testify for himself or herself in any suit brought against such person by the company or against the company by such person.

Suits at law for
claims, etc.

Proviso.

§ 22. The said company shall carry and transport the mail of the United States on such terms as may be agreed upon, and all such freight and passengers as may be offered, if required so to do, on the terms usual with like railroad companies.

Business and
operations.

§ 23. There shall be one resident director of said company in Cass county, one in Morgan county, and one in Macoupin county; and when the removal of any director from either of said counties leaves such county without a resident director such removal shall, of itself, constitute a vacancy in the board, to be filled as other vacancies; and all appointments and elections contrary to the letter and spirit of this section shall be null and void; and in all appointments and elections of directors one only shall be appointed or elected at a time, before the appointment or election of another is acted on. At least this course shall be pursued until each of said counties has secured or obtained one resident director.

Resident direc-
tors.

Vacancies.

Appointments
and elections.

§ 24. The board of directors may, by an order to be entered of record by the secretary, in the book he keeps for recording the proceedings of the board in, authorize all subscriptions made or to be made to the capital stock of the company, in any one county, or specially made to be extended in such county, situated on or near the line or route of said road, as the same may be surveyed or located, to be exclusively expended for the construction of that part of said road which lies within such county; which order shall be binding in law, and such subscriptions expended accordingly; and in every such case the directors may make calls

Record of
proceedings.

Subscription by
other counties.

Separate
divisions.

of the stock subscribed in or by such county or specially made to be expended in such county, without making the same calls on other counties or the stockholders residing therein; and every such county shall constitute a separate division of the road, to be called by an appropriate name, according to the provisions of such order of the board; and such division may be constructed, completed and operated separately until an adjoining part or division shall be ready for being operated; after which such separate division shall be operated in connection with such adjoining part, division or divisions, and the provisions of this section shall apply to each county on the line of the road.

Line of road.

Proviso.

§ 25. It shall be a sufficient compliance with this act for said company to locate, construct and operate its railroad from any point south of Virginia, on the line or route of the Illinois River Railroad, as the same has been surveyed or may be located, not exceeding five miles south of Virginia, to the said town of Du Quoin: *Provided*, that said company shall construct its road with reasonable dispatch all the way to Virginia, unless the Illinois River road shall be completed as far south as the point of intersection provided for in this section by the time said road from Du Quoin to said point shall be completed.

§ 26. The right of way and the real estate purchased by said company or donated to it, or which shall become its property by operation of law, whether by mutual agreement or not, shall, upon the payment of the amount due therefor, if anything, to the owner or owners, become vested in said company in fee simple.

Corporation
subscription.

§ 27. In all cases where subscriptions of stock shall be made to said company by any county, city or town, it shall be the duty of the county court, or board of supervisors, where township organization exists, city or town corporate authorities, respectively, to levy a sufficient tax to pay the interest on the bonds to be issued for said stock; which tax may, from time to time, be increased or diminished so as to produce sufficient funds for the payment of said interest as it shall become due.

Construction of
act.

§ 28. This act shall take effect and be in force from and after its passage, and shall have the force and effect of a public act, and shall be so deemed and taken notice of in all courts and places, but may not be published with the public laws.

APPROVED February 28, 1867.

AN ACT to incorporate the Mississippi River and Wisconsin State Line In force Feb'y
Railroad Company. 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Halsted Corporators.
S. Townsend, Michael Simmons, Thomas Deeds, J. W. White, W. A. Little, J. H. Morse, and G. N. Townsend, of Jo Daviess county; James Turnbull, of Stephenson county, and Abram Pulsgrove, of Carroll county, Illinois, and their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Mississippi River and Wisconsin State Line Name and style,
Railroad Company," with perpetual succession; and, by that name, be and they are hereby made capable, in law Powers, etc.
and equity, to sue and be sued, plead and be impleaded, defend and be defended, in any court of law and equity in this state, or any other place; to make, have and use a common seal, and the same to alter or renew 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 specified; and said company are hereby authorized and empowered to locate, construct and finally complete a railroad, from the state line of Illinois Line of road.
and Wisconsin, commencing at the north-east corner of fractional section thirteen (13), in township twenty-nine (29) north, range six (6) east of the fourth (4) principal meridian, in the county of Stephenson, and state of Illinois, or at any point west, within eight miles of said north-east corner of fractional section thirteen; thence, running westwardly, to the Mississippi river, at Savannah, Illinois, or to any point on said river, north, between Savannah and the latitude of the mouth of Tete-du-Mort, in the state of Iowa, upon the best and most eligible route between the above mentioned points. And the said company are hereby authorized and empowered to lay out and construct a branch Branch of.
from the main trunk to the city of Galena, in the county of Jo Daviess, and state of Illinois; and, for this purpose, the said company are hereby authorized to lay out their said railroad of the width of one hundred feet, and, in case of Width of road.
embankments and crossings, if more than one hundred feet. shall be necessary, then the said company may take and Possession of lands.
use as much more ground, rock, stone or gravel as shall be necessary for the proper construction and security of their said railroad.

§ 2. The capital stock of said company shall consist of Capital stock.
eight hundred thousand dollars, with the privilege of increasing the same to two millions of dollars, to be divided into shares of one hundred dollars each. All the corporate powers of said company shall be vested in and exercised by

- Directors.** a board of seven directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office for one year, and until their successors shall be elected and qualified, and shall have power
- Officers.** to appoint all necessary clerks, a secretary, treasurer, and all other officers deemed necessary in the transaction of the business of said company.
- Examinations and surveys.** § 3. The said company is hereby authorized, by their agents, surveyors, and engineers, to cause such examinations and surveys to be made of the ground and the country between the said points above mentioned, as shall be necessary to determine and select the most direct and feasible route whereon to construct their said railroad. And it shall be lawful for said company to enter upon and take
- Possession of real estate, etc.** possession of and use all such lands and real estate as will or may be necessary for the construction and maintenance of the said railroad, its depots, side-tracks, water stations, engine houses, machine shops, and other buildings and appendages necessary to the construction and working of said railroad: *Provided*, that lands or real estate so entered upon and taken possession of by the said corporation, used for the benefit of said railroad, shall be paid for in damages by the said company or corporation, at such prices as shall be agreed upon by the said company and the owner or owners of such lands; and, in case of disagreement, the price shall be estimated, fixed and recovered in the same manner as is provided for in the taking of lands for the construction of public roads, canals and other public works, as provided by the act concerning the right of way, approved March 3d, 1845.
- Proviso.**
- Penalties for obstructing passage of cars, and destruction of property, etc.** § 4. If any person shall willfully, maliciously or wantonly and contrary to law, obstruct the passage of any car on said railroad or any part thereof, or anything belonging thereto, or shall damage, break or destroy any part of the said railroad or implements or buildings, he, she or they, or any person or persons assisting, shall forfeit and pay to the said company for every such offense treble the amount of damages that shall have been sustained by any such conduct; which damages may be sued for and collected by said company before any court having jurisdiction in such cases; and such offender or offenders shall be guilty of a misdemeanor, and shall be liable to an indictment in the same manner as other indictments are found in any county where such offense 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 the county where such indictment may be found, and may be imprisoned in the county jail for a term not exceeding six months, at the discretion of the court.
- Meetings.** § 5. The time of holding the annual meeting of the directors shall be fixed and determined by the by-laws of

said company; and at all meetings each stockholder shall be entitled to one vote for each share of the capital stock he may hold at the time of such meeting. Said vote may be cast in *propria persona* or by lawful proxy: *Provided*,^{Proviso.} that all installments and assessments which may have been called shall have been paid prior to such election by the person offering his vote.

§ 6. Said directors shall organize the board as soon as^{Organization.} practicable after the passage of this act, by electing one of their number president and by appointing a secretary and treasurer; which organization shall be certified by said directors, or a majority of them, and such certificate shall be recorded in the record book of said company, and said record shall be sufficient evidence of such organization, and a certified copy thereof, under the seal of said corporation, shall be received in all the courts of this state as evidence of the facts therein stated; and said directors shall hold their offices until the first Wednesday of October following their organization and until their successors shall be elected and qualified, as hereinafter provided. All vacancies in said board may be filled by a vote of two-thirds of the directors present at any regular meeting of the board or at a special meeting called for that purpose.

§ 7. Said directors shall, as soon after the passage of^{Stock subscrip-} this act as practicable, open books for the purpose of receiving subscription to the capital stock of said company, at such places along the line of said road and elsewhere as said directors shall determine, under the direction of such agents as said directors shall appoint; and said books shall be kept open, from time to time, until the amount of said capital stock shall be subscribed, or until said directors shall determine to close the same.

§ 8. And the said company are hereby authorized, by^{Possession of} their engineers and agents, to enter into and upon any^{real estate, etc.} lands, for the purpose of making the necessary surveys and examinations for said road, and to enter upon and take and hold all lands necessary for the construction of said railroad and its appendages, first making just and reasonable compensation to the owners of said land for any damages^{Damages to} that may arise to them from the building of said railroad;^{property, etc.} and in case the said company shall not be able to obtain the title of any land or premises which may be necessary^{Titles.} for the purpose of said road and its appendages, by purchase or voluntary cession, the same may be obtained in the mode provided by the provisions of "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, 1852. And, upon^{Payment of.} payment by said company of the damages assessed or appraised in accordance with the provisions of said act, said company shall be authorized to enter upon such lands for any of the purposes contemplated by this act and to use and

enjoy the same in all respects as if the title thereto had been obtained by voluntary cession or conveyance.

Business and operations. § 9. The said company may transport on said railroad any person or persons, merchandise or other property, by the force and power of steam or animals, or any combination of them, and may fix, and establish, take and receive such rates of toll for all passengers and property transported upon their road as the directors of said company shall, from time to time, establish; and the directors are hereby authorized and empowered to make all necessary rules, by-laws and ordinances that they may deem necessary and 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, which is hereby declared personal property and transferable in such manner as shall be provided by the by-laws and ordinances of said company.

Rates of toll.

By-laws.

Vacancies.

§ 10. In case of death, resignation or removal of the president, vice president or any director, at any time before the annual election, such vacancy shall be filled for the remainder of the year by the board of directors; and in case of 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 power and functions as the by-laws of said company may provide. In case it shall any time happen that an election 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 dissolved; but such election shall be held at any other time directed by the by-laws of said company.

Femme covert.

Payment.

§ 11. That when the lands of any *femme covert*, persons under age, *non compos mentis*, or out of the state, shall be taken in the construction of said railroad, as is provided by this act, the company shall pay the amount that shall be awarded as due to the last mentioned owners, respectively, whenever the same shall be lawfully demanded, together with six per cent. per annum; that the damages to be paid by said company for the taking of the lands of the persons named in this section shall be estimated and assessed in the manner now in such cases provided by law.

Crossings, etc.

Proviso.

§ 12. Whenever it shall be necessary for the construction of said railroad to intersect or cross a track of any other railroad, or stream of water or water course, or road or highway, on the route of said railroad, it shall be lawful for the company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the said road, stream of water, water course, road or highway, thus intersected or crossed, to its former state, or in a manner not materially to impair its usefulness.

Connections.

§ 13. Said company shall have power to unite their railroad with any other railroad now constructed, or which

may hereafter be constructed within this state or the states of Wisconsin or Iowa, on the line of said road, or at the terminus thereof, upon such terms as may be mutually agreed upon between the companies so connecting; and, for that purpose, full power is hereby given the said company to make and execute such contracts with any other company as will secure the objects of such connection.

§ 14. That the said railroad company by this act of incorporation shall have full power to borrow money on the credit of the said company, not exceeding its authorized capital stock, at a rate of interest not exceeding ten per cent. per annum, payable semi-annually, and may execute bonds therefor, with interest coupons thereto annexed, and secure the payment of the same by mortgage or deed of trust on the whole or any part thereof of the said railroad stock and income of the company, then existing or thereafter to be acquired, and may annex to such mortgage bonds the privilege of converting the same into capital stock of the company, at par, at the option of the holders, if such election be signified in writing to the company three years before the maturity of said bonds. Indebtedness.

§ 15. That the directors of said company may and they are hereby authorized to negotiate and sell the bonds of the said company at such place, either within or without this state, and at such rates and for such prices as in their opinion will most advance the interests of said company; and if such bonds are thus negotiated and sold at discount below their par value such sale and disposal thereof shall be as valid and binding on the company, in every respect, as if they had been sold and disposed of at their par value. Sale of bonds,

§ 16. That the said company, in securing the payment of said bonds by a mortgage or deed of trust on the road, property and income of the company, shall have power to execute a mortgage or deed of trust aforesaid, to secure the payment of the full amount of bonds which the company may, at the time the said deed of trust or mortgage bears date, or any time thereafter, desire to sell and dispose of; and may execute and sell, from time to time, such amounts of said bonds and of such dates and payable to such persons as to the directors of said company may seem advisable, until the whole amount of bonds mentioned in such mortgage or deed of trust is executed and sold, and the said mortgage or deed of trust shall be as valid and effectual to secure the payment of the bonds so executed and sold, and of every part thereof, as if the same and every part thereof had been executed of even date with the said deed of trust or mortgage. Mortgages and deeds of trust.

§ 17. This act shall be deemed a public act: *Provided*, said road shall be commenced within five years and finished within ten years from the passage of this act. Commencement of road.

APPROVED February 28, 1867.

In force Feb'y 26, 1867. AN ACT to incorporate the Illinois South-Eastern Railway Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles A. Beecher, Joseph J. R. Turney, Robert P. Hanna, Carroll C. Boggs, Joseph T. Fleming, Henry Halthausen and Edward Bonham, of Wayne county, and John W. Wescott, William B. Wilson, Daniel McConly and William H. Hanna, of Clay county, their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Illinois South-Eastern Railway Company;" and, by that name and style, shall be capable in law and equity of suing and being sued, pleading and being impleaded, defending and being defended against, in all courts and places whatsoever, in like manner as natural persons; and may have and use a common seal, and alter and renew the same at pleasure; and, by their corporate name and style, shall be capable in law of contracting and being contracted with, and taking and purchasing, receiving, or in any manner receiving, acquiring and holding, leasing, selling and conveying or assigning any property, whether real, personal or mixed, so far as they may deem necessary for the purposes of this act.

§ 2. The Illinois South-Eastern Railway Company shall have full power and authority to locate, construct, finish, equip and maintain a railroad, with one or more tracks, commencing at some suitable point on the Chicago Branch of the Illinois Central Railroad, running thence, by such line as shall be deemed by them most convenient, by way of Fairfield, in Wayne county, to the Ohio river, at any point not south of Metropolis City nor north of Shawneetown; and shall, also, have full power and authority to locate, construct, finish, equip and maintain a branch of said railroad, with one or more tracks, upon such line as they may deem most convenient, from Fairfield, in Wayne county, to the Great Wabash river, at any point not farther north than Greyville, on said river: *Provided*, that the point of junction or connection of said railroad with the Chicago Branch of the Illinois Central Railroad may be at any point not north of Mason, in Effingham county, nor south of Kinmundy, in Marion county; and said railroad may intersect or cross the Ohio and Mississippi Railroad at any point not further east than Clay City nor west of the town of Xenia, both in Clay county; and if said company shall deem it advisable to build said branch of said railroad before the completion of the main line, or any part thereof, they are hereby fully empowered and authorized so to do.

§ 3. The capital stock of said company may consist of one million of dollars, which may be increased by the board of directors to any sum not exceeding six millions, to be

divided into shares of one hundred dollars each, which may be sold and transferred in the manner provided for in the by-laws of said company.

§ 4. The affairs of said company shall be controlled and managed by a board of directors, consisting of eighth persons, which may be increased to any number not exceeding thirteen, a majority of whom shall constitute a quorum for the transaction of business. And Chas. A. Beecher, Joseph T. Fleming, William H. Hanna, Joseph J. R. Turney, Carroll C. Boggs, Edward Bonham, William B. Wilson, and John W. Westcott, are hereby appointed the first board of directors, who shall hold their office until their successors are elected and duly qualified in such manner as may be provided by the by-laws of said company; which said by-laws shall be established by the directors of said company; which by-laws may be altered and changed, by a two-third vote of said directors; and said board of directors shall have the power of electing out of their number a president, secretary and treasurer, and such other officers as the by-laws may provide for.

§ 5. The said company shall have full power and authority, by themselves or their agents or employees, to enter upon any lands belonging to individuals or corporations, for the purpose of surveying, re-surveying, examining and locating a line for said railroad or the branch thereof; and shall have full power to receive from individuals or corporations, by purchase, donation or otherwise, any and all lands they may deem necessary for the track or tracks of said road or the branch thereof, not exceeding one hundred and fifty feet in width; also, all lands they may deem necessary for the side-tracks, turn-outs, stations, water-tanks, depots and other buildings and structures; also, they may purchase, hold or receive, as donations from individuals or corporations, all lands and the right of way thereto upon which may be found stone, gravel, wood or coal, suitable for constructing, ballasting, repairing, fencing or operating said railroad or its branch, and for constructing or repairing the buildings, structures or appurtenances of said railroad. Said company may take such conveyance of lands, purchased or donated for the purposes of this section, from individuals or corporations, as may be agreed upon by the parties interested. In case of disagreement as to the right of way, price of any land or lands or other privileges embraced in this section, the same may be condemned, taken, held and used by said company, for the purposes of this act, in the manner provided for in the condemning of lands for right of way in an act entitled "An act to amend the law condemning right of way for purposes of internal improvement," approved June 22, A. D. 1852.

§ 6. The said company shall have power to unite its railroad with any other railroad now constructed or which

Directors.

Quorum.

First board.

By-laws.

Possession of property, etc.

Donations, etc.

Conveyances.

Right of way.

Consolidations.

may hereafter be constructed; or this said company may purchase, or receive by donation, the corporate franchise, property or privileges, or any part of either, of any other railroad company whose charter confers power to construct a railway through or unto Wayne county, upon such terms as may be agreed upon by and between the companies, or their successors or assigns interested; and shall have power to build said railroad or its branch across any other railroad, highway or water course: *Provided*, that any railroad, so crossed or intersected, shall be restored to its former usefulness.

Proviso.

County donations.

§ 7. The county court, or board of supervisors, (where such county has adopted township organization,) of any county into or through which this road or its branch may pass, is hereby authorized and fully empowered to donate to said company, as a bonus or inducement towards the building of said railroad or its branch, any sum not exceeding one hundred thousand dollars, and may order the clerk of the county court or board of supervisors of such county to issue bonds of the county to the amount donated; and such clerk of the county court or board of supervisors, as the case may be, of such county, shall countersign and deliver such bonds so issued to the president or directors of said company; which said bonds may bear any rate of interest not to exceed ten per cent. per annum, payable at maturity of the bonds, as hereinafter expressed, and yearly thereafter: *Provided*, that no donation by the county court or board of supervisors of any such county shall be of a greater sum than fifty thousand dollars, until after the question of such larger donation shall have been submitted to the legal voters of such county, at an election to be called, conducted, returns made, canvassed and published, in the usual manner of calling, conducting, making returns, canvassing and publishing special county elections; at which election each voter shall vote a ticket upon which is written or printed the words "For Donation" or "Against Donation;" and if a majority of the ballots cast at such an election be in favor of donation, it shall be the duty of the county court or board of supervisors of such county so voting to donate some amount, not less than fifty thousand dollars nor more than one hundred thousand dollars, to said company, and to order the issuing of bonds of the county, as hereinbefore provided, for the amount so donated; which bonds shall be made payable to the directors of said company, and may be in any denomination of not less than one hundred nor more than one thousand dollars each, at the discretion of the said county court so issuing the same: *Provided*, that the bonds of any county so donated and issued shall not mature nor become due or payable nor any of the interest accruing thereon or upon any part thereof, until the said company shall have completed or caused to be completed so

Proviso.

Elections.

Donations and amount of.

Bonds.

Proviso.

much of the line of said road or its branch as may be within the county so donating, or when some certain specified section or part of the road shall have been finished, as may be agreed upon between this company and county court or board of supervisors of the county making the donation; and each of said bonds shall declare upon its face the conditions upon which it is to become due.

§ 8. The county court or board of supervisors of any county authorized by the foregoing sections of this act to donate its county bonds to this company is hereby fully authorized and empowered to donate or grant as a bonus or inducement to said company any land or lands belonging to such county; and to make such conveyance or agreement for conveyance for such lands or mortgages upon the same or deeds of trust to the same, not inconsistent with the provisions hereto, as may be agreed upon by and between such county court or board of supervisors of such county and this company: *Provided*, that no absolute conveyance of such lands so donated shall be made by any such county court or board of supervisors until the said company shall have fully completed such part of the said road as may lay within the limits of such county so donating the same, or until some one or more of the sections into which this road is hereafter to be divided is completed and in running order. But any and all agreements for the conveyance of such lands or mortgages thereon or deeds of trust thereto or bonds for deeds to the same, may be made by any such county court or board of supervisors, that may be deemed necessary to insure the absolute conveyance of such lands to this company, when they have complied with the terms and conditions of said grant or donation. Bonus.
Proviso.
Agreements.

§ 9. Any town in any county under township organization is hereby authorized and empowered to donate to said company any amount, not to exceed thirty thousand dollars: *Provided*, that no such donation by any such town to said company shall be made unless the question of making such donation shall have been first submitted to the legal voters of such town, at an election hereafter to be provided for: *And, provided, further*, that no donation so made, nor any part thereof, nor any interest accruing thereon or upon any part thereof, shall be paid or become due or payable to said company until said company or its assigns or employees shall have completed their said railroad or some certain part of said road or its branch, as may have been agreed upon by the contracting parties. Town donations
Proviso.

§ 10. No such election for the purpose of submitting the question of making a donation by any such town authorized by section nine of this act to donate to this company shall be held until the directors of said company shall have filed a proposition to the inhabitants of said town with the county clerk of the county wherein such town is situate, Proviso.
Time and place of election.

Publication of proposition.

and a copy of the same with the clerk of said town, and, if there be a newspaper published in such county, said proposition shall be published in full in the same, whereupon it shall be the duty of the clerk of such town to post up written or printed notices of the time and place of holding such election in at least ten public places in such town, together with a copy of said proposition, at least twenty days before the day for holding such election; at which election the legal voters of such township shall vote for or against such proposition; and if a majority of all the votes cast be for such proposition the trustees of said town shall so certify the same to the clerk of the county court of the county wherein the town is situated, and such county clerk shall, upon the application of the company, after the donation so voted by any such town shall have become due or payable under the terms and conditions of the proposition upon which said election was ordered, compute and assess upon all the taxable property in said town an amount sufficient to pay such donation, or any part or installment of the same so then being due and payable; which taxes so assessed shall be collected as other taxes; and the taxes so collected shall be paid to the treasurer of said company. And the election herein provided for shall be held, canvassed and returned as other regular town elections.

Taxation.

Returns of elections.

City donations.

§ 11. Any incorporated city or town, through or by which said railroad or its branch may run, is hereby authorized and empowered to make donations to said company, in any sum not exceeding ten thousand dollars, on the same terms, propositions, conditions and under the same restrictions as provided for towns in sections nine and ten of this act.

Individual donations.

§ 12. Said railroad company is hereby authorized and empowered to receive from any and all individuals any donation of any kind that such individuals desire to make, whether of real or personal property, money or promises to pay money, bonds of the United States or of any state, or of any incorporation whatsoever, upon such time, terms and conditions as may be agreed upon between said company and such donor and for the insuring to said company of any such donation, when they have complied with the terms and conditions upon which such donation was made, said company is fully authorized and empowered to receive and hold any deeds of conveyance for real or personal property, rights or franchises, or any bonds for deeds, or deeds of trust, or any other indentures, obligations or writings, of any kind whatsoever, that may be deemed necessary; or, said company may receive and hold any agreements, bonds, or instruments that may be deemed necessary to secure the transfer and delivery of any bonds, valuables or securities, or to enforce the issuing of bonds or securities, when donated.

Deeds of conveyance.

Bonds and indentments.

§ 13. Said company, by its board of directors, shall have power to appoint a trustee to take and hold any and all the property, real, personal or mixed or such part as may be agreed upon; and, by order of the said board of directors or by virtue of any contract previously made by them, may transfer the same to any individual or company, corporation or body politic, with whom said railroad company may contract to build or assist in building said road or any part thereof or the branch of the same; and the title to any and all of such property shall vest in any such individual, company, corporation or body politic, that said railroad shall contract with, when the terms, conditions and contingencies of such contract shall have been fully complied with, or said trustee may take and hold any and all of said company's property, real, personal or mixed, as security or indemnity for any moneys borrowed or negotiated for by said company.

Possession of
property, real
and personal.

Transfers of.

Titles.

Security.

Indebtedness.

§ 14. Said company shall have power to borrow money not exceeding in amount the value of the donations, subscriptions, franchises and other property of all kinds. And for any money so borrowed they may pay any rate of interest not exceeding ten per centum per annum. And said company may secure the payment of money so borrowed by mortgages upon or deeds of trust for, or by making in any manner pledges or securities of any of the franchises, donations, subscriptions or property of any kind belonging to said company. And said company is fully authorized and empowered to issue bonds based upon their property, rights, credits, franchises, donations or subscriptions, and may transfer, sell, assign or mortgage or dispose of such bonds, so issued, for money, or to secure the payment of money borrowed by said company, or to procure any property necessary to aid the building or operating their road or the branch thereof. Said bonds, so issued, shall be of any denominations not less than one hundred dollars, nor more than one thousand dollars, and may run for any term not more than twenty years, and bear any rate of interest not exceeding ten per centum per annum, and shall be legally executed in the manner to be prescribed by the by-laws of the said company.

§ 15. Said railroad shall be divided into sections of not less than five miles each, and shall be numbered and designated as the board of directors shall by the by-laws provide.

Sections of.

§ 16. Said company shall organize, under the provisions of section four of this act, within one year from and after the passage of this act, and shall commence the construction of said railroad, in good faith, within three years, and shall complete the same within twenty years.

Organization.

§ 17. This act shall be a public act, and shall be in force from and after its passage.

APPROVED February 25, 1867.

In force Feb'y AN ACT to incorporate the Chicago and Illinois River Railroad Company.
28, 1867.

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| Corporators. | SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Charles C. P. Holden, B. F. McCarty, Charles H. Machin, Charles N. Holden and N. E. Pegram, and their associates and successors, are hereby made and constituted a body corporate |
| Name and style | and politic, by the name and style of "The Chicago and Illinois River Railroad Company," and by that name and |
| Powers. | style shall have perpetual succession; may sue and be sued; have a common seal; have and own so much real estate as shall be necessary for their business; may make by-laws, rules and regulations for the government of their officers and affairs, business and agents; may make contracts and have and exercise all the rights, privileges and immunities, and be subject to all the liabilities of a body corporate and politic. |
| Capital stock. | § 2. The capital stock of said company shall be one million of dollars, but the same may be increased by a vote of the stockholders to any amount deemed necessary, not exceeding the total cost of the road of said company. Said |
| Shares. | stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and transferable on the books of the company in the manner and subject to such rules and provisions as shall be determined by the by-laws; and the said capital stock shall be paid in at the time and in the installments required by the directors. |
| Officers and directors. | § 3. The business of said corporation shall be conducted by a board of five directors, who shall be elected annually by the stockholders, at such time and under such rules as the by-laws shall determine; and the said directors shall elect from their number a president, secretary and treasurer, who shall hold their offices during the term of their directorships: <i>Provided, however,</i> that the secretary need not be a director; and the board may appoint other officers and agents; they may fill vacancies in their number, make the by-laws, and exercise all the powers necessary to carry this act into effect. Each share of stock shall entitle the holder thereof to one vote, in person or by proxy, in the election of directors or to increase the capital stock. |
| Vacancies. | |
| Privileges, etc. | § 4. Said company are hereby authorized to survey, locate, construct, maintain and operate a railroad, with one or more tracks, from the city of Chicago, Illinois, to a point on the Mississippi river, opposite or nearly opposite the city of Keokuk, Iowa, through the village of Lisbon, in Kendall county, the city of Ottawa, in La Salle county, and such other points as they shall, from time to time, as the road progresses, determine for their route, with all necessary |

side-tracks, switches, turn-outs, turn-tables, depots, station-houses or other erections; and they may locate, construct and operate a branch or side-track from said road, at or near where the same shall cross the Big Vermilion river, in La Salle county, for the distance of not more than ten miles, in a southeasterly direction, along, or near as may be, the course of the said Big Vermilion river; and they may erect shops for the repair or manufacture of any of the equipments, machinery or other property incident to a railroad; and they may run or operate upon said railroad and side-tracks, cars, propelled or driven by steam, for the carrying of passengers and freight. The said company is authorized, by its surveyors, engineers or agents, to cause examinations and surveys to be made of the ground as shall be necessary to determine the most desirable route; and it shall be lawful for the said company to enter upon any lands or real estate, and shall be liable only for the actual damages done by reason of such survey or examination.

§ 5. For the purpose of acquiring the necessary lands for a right of way, not exceeding one hundred feet in width; and for turn-outs, side-tracks, stations and depots, shops or other erections, and for material to build, ballast and repair the same, or any of them, in case of disagreement as to price between the company, by its agents, and the owner or owners of any lands, the same may be condemned, taken and used under the provisions of "An act to amend the law condemning rights of way for purposes of internal improvements," approved June 22, 1852, or of any other act amendatory thereto. All the property acquired by virtue of the provisions of this act shall become vested absolutely in said company.

§ 6. Said company may borrow such sums of money as they may deem necessary for the construction and equipment of their road, or any part thereof, upon such terms as they may make, not exceeding ten per cent. per annum for interest, and, for the purpose of securing said loans, may pledge the property, franchises and income of their roads, by deed, mortgage, bonds or otherwise. The said directors may proceed to survey, locate, construct and operate the said road, by sections, from time to time, until the whole shall be fully completed.

§ 7. The said company may unite or connect its road with any other road now or hereafter constructed in this or any other state, which may connect with the same in such manner as to form a continuous line of road, and make and execute such contracts as shall be deemed necessary to perfect the same.

§ 8. This act shall be a public act, and be in force from and after its passage.

APPROVED February 28, 1867.

In force Feb'y 28, 1867. AN ACT to amend the articles of association of the Danville, Urbana, Bloomington and Pekin Railroad Company, and to extend the powers of and confer a charter upon the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said corporation is hereby created a body politic and corporate, under the name and style of "The Danville, Urbana, Bloomington and Pekin Railroad Company," with perpetual succession, and, under that name and style, shall be capable of suing and being sued, pleading and being impleaded, defending and being defended against, in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons; may make and use a common seal, and alter and renew the same at pleasure; and, by their corporate name and style, shall be capable, in law, of contracting and being contracted with; shall be and are hereby invested with all the powers and privileges, immunities and franchises, of receiving and disposing of real and personal estate which may be needful to carry into full effect the purposes and objects of this act. And said company is hereby authorized and empowered to locate, construct and complete a railroad, extending from the city of Pekin, in Tazewell county, Illinois, through, or as near as practicable, to the towns of Tremont, Mackinawtown, Concord, Bloomington, LeRoy, Mount Pleasant, Mahomet, Champaign City, Urbana and St. Joseph, to the east boundaries of the state of Illinois. And said company may construct said road, with one or more tracks, and shall begin the construction of the same within five years, (5,) and complete the same within ten years (10) from the passage of this act. Said company shall not have the power to locate or construct a road upon any other route than connecting the above named points by such location as may be deemed best for the interests of said company: *Provided*, that if any incorporated town or city on the line of said route shall refuse or neglect to subscribe a just and equal amount towards securing the building of said road, then in that case the directors of said company shall have the power to be exercised in their discretion, so to change the route as not to run said road through the incorporated town or city so refusing or neglecting to subscribe: *Provided*, that the directors of the division in which such incorporated town or city may be shall have the sole power of determining as to the sufficiency of such subscription: *And, provided, further*, that no such power shall be construed to be possessed by the directors when the county or township in which such incorporated town or city may be shall have subscribed, or shall before such change in route is made,

Name and style

Powers.

Line and route of road.

Commencement and completion of.

Proviso.

Route.

Proviso.

Proviso.

subscribe to the capital stock of said company a sum not less than one hundred thousand dollars.

§ 2. The capital stock of said company shall be two million dollars, and may, by a vote of the majority of the stockholders according to shares, at any regular or special meeting, called for that purpose, be increased to six millions of dollars, to be divided into shares of one hundred dollars each. Capital stock.

§ 3. The immediate government and direction of said company shall be and is hereby vested in thirteen (13) directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided for, and who shall hold their offices for the period of one year after their election and until their successors shall be elected and qualified; and the said directors, a majority of whom shall constitute a quorum for the transaction of all business, shall elect one of their number president of the company, and shall have power to elect or appoint such other officers as they may deem proper; but no person shall be a director who shall not, at the time of his election, be a stockholder; and each stockholder shall, in all elections or votes by stockholders, be entitled to cast one vote for each share of the stock held by him—such vote to be cast either in person or by proxy, and under such regulations as the board of directors may prescribe; and vacancies in the board of directors may be filled by the remaining directors—a two-thirds vote in his favor being required to elect—such appointees to continue in office until the next annual election of directors which said annual election shall be held at such time and place as may be designated by the by-laws of said company, sixty days' printed notice being given by at least five publications in newspapers in Urbana, Bloomington and Pekin. Government of affairs.

§ 4. The persons named as commissioners in said articles of association may be removed at any regular meeting of the board of directors and others appointed in their stead, with the same powers. And the said commissioners shall open books of subscription, from time to time, in each of the cities, incorporated towns and townships along the route of said road first giving ten days' notice of the time and place thereof, by publication in the newspaper published nearest thereto. Removal of officers.

§ 5. The said company shall have power to locate, construct, equip, furnish and maintain and operate a railroad, as aforesaid, with all the necessary tracks, side-tracks, turn-outs, switches, depots, stations and all other necessary buildings, structures and erections; and for this purpose, they are hereby vested with all the powers necessary for the purchasing, taking, holding, selling and transferring property, real and personal, the same as natural persons, as the board of directors may deem it necessary to carry out the objects of this act. Stock subscriptions.

§ 6. For the purpose of acquiring the right of way for the construction and maintenance of said railroad, side-tracks, turn-outs and grounds for depots, stations, erections and structures, and for the purpose of obtaining stone, gravel and other materials for building, ballasting or repairing said road and of obtaining a right of way to said material, the said company be and are hereby authorized and empowered to take, condemn and use the same, under the provisions of an act entitled "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22, 1852, and all laws that have been or may be hereafter enacted amendatory thereof.

Privileges, etc.

§ 7. Said company shall have power to unite or connect itself with any other railroad company in this state, upon such terms as may be mutually agreed upon between the companies so uniting or connecting, and, for that purpose, full power is hereby given to said company to make and execute such contracts with any other company as will secure the object of such union or connection: *Provided*, that such union or connection shall only be with companies whose railroads are west of the Illinois river or east of Urbana, running east and west, or whose roads run north and south from either terminus of the said Danville, Urbana, Bloomington and Pekin Railroad Company; and the said corporation may, furthermore, lease or purchase upon such terms as may be agreed upon, any other road or parts of roads, either wholly or partially constructed, which may constitute or be adopted as part of their railroad; and, by such lease or purchase, they shall acquire and become vested with all the rights and franchises pertaining to such road, or part of road, so leased or purchased in the right of way, maintenance and construction and operation thereof.

Indebtedness.

§ 8. The said company is hereby authorized, from time to time, to borrow such sum or sums of money as may be necessary for the completing, equipping, operating and maintaining their said railroad, and to issue and dispose of the bonds at such rate of interest, not exceeding ten per cent. and at such discount as may be thought best for the benefit of the company, and to mortgage their corporate property and franchises, or convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purpose aforesaid. And any such bonds that may be sold or disposed of at a less rate than par shall be as valid and binding upon said company as if the same were sold for the par value thereof.

Corporation subscription.

§ 9. Counties, cities, towns or townships through which said [road] is to pass or along the route thereof, which have held or shall hold elections upon the question of subscribing to the capital stock of said company, as by this act or by any general law of this state required or permitted, shall, upon such election being held and carried in favor of

so subscribing; adopt the subscriptions of citizens of such county, city, town or township, now made to said capital stock, under said articles of association, as part of their subscription; and, upon the issue of stock by such counties, cities, towns or townships, such citizens shall, by the board of directors, be released from individual liability therefor.

§ 10. The right of way and the real estate for the right of way and for the purpose aforesaid, purchased or acquired by said company, whether by agreement or otherwise, or which shall become the property of the company, shall, upon the payment of the money agreed or adjudged to be paid to the owner or owners of the same, as compensation for the same, become the property of said company in fee simple. Whenever it shall be necessary for the construction of said railroad to intersect or cross the track of any other railroad, or river or stream of water, water course, road or highway, on the route of said road, it shall be lawful for the company to construct their road across or upon the same: *Provided*, that the said company shall restore the said railroad, river, stream of water, water course, road or highway intersected or crossed, sufficiently near its former state, so as not to materially impair its usefulness. Right of way.
Compensation.
Proviso.

§ 11. That all the rights, privileges and advantages, with the limitations and restrictions conferred upon the Illinois Central Railroad Company; also the rights, privileges and advantages, with their limitations conferred by an act entitled "An act to provide for a general system of railroad incorporation," approved November 5, 1849, and the several acts amendatory thereof, are hereby conferred upon the Danville, Urbana, Bloomington and Pekin Railroad Company; and counties, cities, towns and townships shall be entitled to subscribe for stock in said company, in like manner and with like effect as provided in the acts referred to and the acts amendatory thereof, except as by said acts and said articles of association qualified and limited. Vested rights.

§ 12. To further aid in the construction of said road, by said company, any incorporated town or townships in counties acting under the township organization law, along the route of said road, may subscribe to the capital stock of said company in any sum not exceeding two hundred and fifty thousand dollars. Corporation
subscription
limited.

§ 13. No such subscription shall be made until the question has been submitted to the legal voters of such incorporation, town or township in which the subscription is proposed to be made; and the clerk of each of said towns or townships is hereby required, upon the presentation of a petition signed by at least ten citizens, who are legal voters and tax payers of such town or townships for which he is clerk, and in which petition the amount proposed to be subscribed shall be stated, to post up notices in at least three public places in each town or township; which notice shall Determined by
vote.

be posted not less than thirty days before the day of holding such election, notifying the legal voters of such town or township to meet at the usual place of holding elections, in such town or township, or some other convenient place named in such notice, for the purpose of voting for or against such subscription: *Provided*, that where elections may have already been held, and a majority of the legal voters of any township or incorporated town were in favor of a subscription to said railroad, then and in that case no other election need be had; and the amount so voted for shall be subscribed as in this act provided. And such elections are hereby declared to be legal and valid, as though this act had been in force at the time thereof and all the provisions hereof had been complied with.

§ 14. If it shall appear that a majority of all the legal voters of such towns or townships voting at such election have voted "for subscription," it shall be the duty of the president of the board of trustees, or other chief executive officer, if in incorporated towns, and of the supervisor in townships, to subscribe to the capital stock of said railroad company, in the name of such town or township, the amount so voted to be subscribed, and to receive from said company the proper certificates therefor. He shall also execute to said company, in the name of such towns or townships, bonds bearing interest at ten per cent. per annum, which bonds shall run for a term of not more than twenty years; and the interest on the same shall be made payable annually; and which bonds shall be signed by such president, executive officer or supervisor, and be attested by the clerk of the town or township in whose name the bonds are issued; and it shall be his duty to make out a record of the issuing of said bonds. Said bonds shall be delivered to the president or secretary of said company for the use of said company; and when any city or county shall hereafter vote to make subscription, as aforesaid, the chairman of the board of supervisors of such county and the mayor of such city shall be required to subscribe to the capital stock of said company the amount so voted.

§ 15. It shall be the duty of the clerk of any such town or township, in which a vote shall be given in favor of subscription, within ten days thereafter, to transmit to the county clerk of their respective counties a transcript or statement of the vote given, and the amount so voted to be subscribed, and the rate of interest to be paid: *Provided*, that where elections may have been held, as aforesaid, it shall be the duty of the town clerks to file with the county clerks of their respective counties, within ten days after the issuing of said bonds, certificates of the votes of their towns, the amount of stock voted to be subscribed, the amount of bonds issued, and the rate of interest payable thereon.

§ 16. It shall be the duty of the county clerk of such county, annually, after the execution and delivery of such

bonds, as aforesaid, to compute and assess upon all taxable property returned by the assessor of such town or township, a sum sufficient to pay the interest and costs of collection, and disbursements upon all bonds so issued by the respective towns or townships; which tax shall be extended upon the collector's books as other taxes are, and collected in the same manner that other taxes are collected, and, when collected, shall be paid to the treasurer of the county; and such town or township may, when providing for the levying and collecting of other taxes, also assess upon the property of such town or township any rate, not exceeding three per cent. in any one year, upon the assessment, to provide a fund for the redemption of the principal of such bonds as or when they become due—said tax to be levied and collected as other taxes are and paid to the county treasurer; but no tax shall be computed, assessed or collected, or any interest paid, to be applied upon such bonds unless such bonds have been executed and delivered.

Extension of.

Manner of collection.

Rates of.

Redemption of principal.

§ 17. It shall be the duty of the county treasurer to pay out, on the presentation to him of the bonds issued by any such towns or townships aforesaid, the amount due upon such bonds for interest, and also for principal, where any tax shall be assessed and collected to pay principal, out of any money in his hands for that purpose, and indorse such payment of interest or partial principal upon the bonds; and, when such bonds shall be redeemed or paid, he shall receive and cancel the same, and return the same to the said president or supervisor, who shall destroy the same, in the presence of the clerk of such town or township, who shall make a record of the transaction. The town collector and county treasurer, in towns or counties which subscribe to said capital stock, shall receive the same per centage for receiving and disbursing said fund as they now receive in collecting and disbursing the school fund.

Duties of county treas'r.

§ 18. At all elections for officers, and in all questions voted on by the stockholders of said company, the president or supervisor of such town or township which shall have subscribed to said stock, shall represent and cast the vote which said stock is entitled to cast, unless said town or township shall appoint some other person to perform said duty.

Elections.

§ 19. The road to be constructed by said railroad company is hereby divided into three divisions, to-wit: All that portion of the road east of the Chicago Branch of the Illinois Central Railroad, shall constitute the first division; that portion lying west of the Chicago Branch of the Illinois Central Railroad and east of the main line of the Illinois Central Railroad shall constitute the second division; and all that portion west of the Illinois Central Railroad and east of the Illinois river shall constitute the third division. The immediate supervision and management of the con-

Divisions.

First.

Second.

Third.

Management of divisions. construction of said divisions shall be under the control of the directors residing in each division; and said directors, representing their respective divisions, shall have power to organize, under such rules as the board of directors may establish, and shall have power to call in stock subscriptions, as the same become payable, and expend the proceeds of such subscriptions in the divisions where the subscribers are located, and shall keep records of their proceedings, and report to the board of directors, under such rules as said board may establish: *Provided*, that any incorporated town, city or township, which has held or shall hold elections upon the question of subscribing to the capital stock of said company, may appropriate the whole or part of said subscription for the construction of any part of said road that such city, township or incorporated town may elect, within the division in which city, incorporated town or township may be.

Powers.

§ 20. The president of the Bloomington and Pekin Railroad Company, incorporated by an act approved February 10, A. D. 1853, is hereby authorized and empowered to convey to William S. Maus, Samuel R. Saltonstall, and Jerome B. Clark, and Henry Conkling, all the right, title and interest of the said Bloomington and Pekin Railroad Company in and to the right of way, grade, road-bed of the Bloomington and Pekin Branch of the Central Railroad, to the same extent as conveyed by the state of Illinois to said Bloomington and Pekin Railroad Company, to be held by said parties, in trust, until the completion of said third division of the Danville, Urbana, Bloomington and Pekin Railroad; and, upon such completion, to be by them conveyed to said last named company; and said last named company are hereby vested with all the powers, rights and privileges conferred by said act of February 10, A. D. 1853, upon the Bloomington and Pekin Railroad Company, not inconsistent with the provisions of this act. Said act of February 10, A. D. 1853, is hereby declared to be in full force and effect for the purpose of said conveyance. And the governor of the state of Illinois is hereby authorized, upon application to him of the president of the Danville, Urbana, Bloomington and Pekin Railroad Company, to convey to said above named persons all the right, title and interest which may be in the state of Illinois in and to the right of way, grade and road-bed of said Bloomington and Pekin Branch of the Central Railroad.

Liabilities of stockholders.

§ 21. No stockholder, whether corporate or natural persons, shall be otherwise liable under his or their subscription of stock than for the amount of their respective subscriptions of stock to said company, and according to the calls of the directors, under the conditions hereinbefore provided.

Repealed provisions.

§ 22. Any provision or stipulation contained in the aforesaid articles of association of the Danville, Urbana,

Bloomington and Pekin Railroad Company, in conflict with the provisions of this act, is hereby repealed. But nothing herein contained shall be construed to affect the right of any county or city which has heretofore voted to subscribe to the capital stock of said company to limit its subscription, according to the terms and conditions of said articles of association of said company; but any city which, since the adoption of said articles of association, has voted to subscribe to the capital stock of said railroad, may, upon a vote of two-thirds of the common council or board of aldermen thereof, subscribe and issue bonds under the provisions of this charter, instead of upon such terms and conditions contained in said articles of association.

Right of counties, etc.

Bonds.

§ 23. The board of directors of the Danville, Urbana, Pekin and Bloomington Railroad Company, as elected under the articles of association of said company, shall, within six months from the coming in force of this act, signify their acceptance of the same, and, if not so done, then this act shall be void and of no effect. And the said board of directors shall continue and remain in office until the next annual election, which election shall be provided for by the by-laws of said board.

Acceptation of office.

§ 24. This act shall be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the La Fayette, Bloomington and Mississippi Railroad Company. In force Feb'y 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John E. McClun, Asahel Gridley, Jesse W. Fell, Thomas Stephens, Robert Huston, William Foos, Chas. W. Holder, Jonathan H. Cheney, W. H. Riggs, Almon B. Ives, A. R. Jones, Michael Swann, David Harpster, John Niccols, Nathaniel S. Sunderland, George W. Funk, John L. Rout, William Thomas, John Hornett, L. W. Capen, Owen T. Reeves, W. H. Cheney, Judge David Patton, Wm. H. H. Wood, Andrew Jordan, J. E. Davis, Alvin Gilbert, and such other persons as may associate with them, be and are hereby made and constituted a body corporate and politic, by the name and style of "The La Fayette, Bloomington and Mississippi Railway Company," with perpetual succession;

Corporators.

and, by that name, shall be capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended, in any courts of law and equity in this state or any other place. Said corporation shall have power to

Name and style, Powers.

make, have and use a common seal, and the same to renew and alter at pleasure; and shall be and hereby are invested with all the powers, immunities and privileges which are or may be necessary to carry into effect the purposes and objects of this act, as hereinafter set forth.

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| Authority and powers. | § 2. The said corporation is hereby authorized and empowered to construct and maintain, with all necessary side-tracks, turn-outs, switches, depots, stations and all necessary buildings, erections and structures, and operate a railway, |
| Route of road. | from a point on the line between this state and the state of Indiana, not more than ten miles north or south of a point due west from the city of La Fayette, in the state of Indiana, westwardly, passing within two miles of the south line of section twenty-eight, in township twenty-three north, of range six east of the third principal meridian, to the city of Bloomington, in McLean county, Illinois—the line of said railway to enter the corporate limits of said city of Bloomington, on the east, at least three-quarters of a mile south of the line dividing towns twenty-three and twenty-four north, of range two east of the third principal meridian, and thence, westwardly, so as to strike the Mississippi river at some point at or between the town of Oquawka and the city of Quincy; and, for this purpose, said company are hereby authorized, upon the route above indicated, to lay out their said railway, not exceeding two hundred feet |
| Width of road. | in width, throughout the whole length; and, for the purpose of cuttings, embankments, securing stone and gravel, or constructing the necessary depots or other buildings required by said railway, the said corporation may take as much more land as may be necessary to construct and fully complete said railway. |
| Possession of lands, etc. | § 3. The capital stock of said company shall be one million of dollars, and may be increased to any sum that may be fixed by the directors thereof, to be divided into shares of one hundred dollars each. The immediate government and direction of said company shall be invested in a board of directors, not less in number than seven nor more than twelve, who shall be chosen by the stockholders of said company in the manner hereinafter provided, who shall hold their office for one year and until their successors are elected and qualified, a majority of whom shall form a quorum for the transaction of business. The said board of directors shall appoint such officers as they may deem necessary for the transaction of the business of said company. |
| Capital stock. | |
| Shares. | |
| Government and officers. | |
| Quorum. | |
| Appointment of officers. | |
| Surveying and locating. | § 4. The said corporation is hereby authorized, by their agents, surveyors or engineers, to go upon any lands on the route of said road, for the purposes of making the necessary surveys and location of said railway; and the said company shall have the right and power 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 |

railway, its depots, side-tracks, waterstations, engine houses, machine shops and other buildings and appendages, as may be necessary to the construction and working of said road : *Provided*, that all such lands shall be condemned by said railway in the manner prescribed by the laws of this state, now in force, on the subject of condemning private lands for the use of railway companies or other corporate uses.

Condemned
lands.

§ 5. The persons named in the first section of this act are hereby appointed commissioners, who, or any five of them, after a meeting duly called by thirty days' notice in newspapers published in La Fayette and Bloomington, are hereby authorized to open books of subscription for said stock, at such places as they may designate, and shall keep said books open until one hundred thousand dollars of said capital stock shall be taken. The said directors shall have power to make rules, as they may think best, as to the time and manner of payment of said stock so subscribed. When one hundred thousand dollars shall have been subscribed to the capital stock of said company, the said commissioners, or any five of them, shall call an election, by the stockholders, for directors of said company; and when the directors are chosen, as aforesaid, the said commissioners shall deliver over to said directors the subscription books of stock of said company, with all sums of money received by them as commissioners.

Stock subscrip-
tion.

Payment of
stock.

Organization.

§ 6. The right of way and the real estate purchased for the right of way by said company, whether by mutual agreement or otherwise, or which shall become the property of the company by operation of law, shall, upon the payment of the amount of money agreed or found to be due to the owner or owners of said lands, as a compensation for the same, become the property of said company in fee simple.

Right of way.

Compensation.

§ 7. The said railway company is hereby invested with all the powers, franchises, immunities, privileges and uses incident to a railway company, with the right to take and transport persons or property, and may give, take or establish, take and receive such rates of toll for such transportation as the directors, from time to time, may ordain; and the directors of said company are hereby authorized and empowered to make all necessary rules, by-laws, regulations and ordinances for the management, operation, construction and preservation of said railway, and to provide for the assignment and transfer of the stock of said company, which is hereby declared to be personal property. The said directors shall receive subscriptions to the stock of said company until the entire capital stock, as now provided or as may be hereafter increased, shall have been subscribed, and to provide for the payment of such additional subscriptions to the stock in such manner as they may think best.

Privileges.

Vacancies.

§ 8. In case of a vacancy in the board of directors or officers of said company, by death or otherwise, the directors shall provide the mode by which the same shall be filled.

Intersections.

§ 9. Whenever it shall be deemed necessary, for the construction of said railroad, to intersect or cross the track or right of way of any other railway or any stream of water or water course or road or highway, on the route of said railway, it shall be lawful for said company to construct its railroad across or upon the same: *Provided*, that said company shall restore such railroads, stream, highway, road or street, so intersected or crossed, to its former state, or in such manner as not materially to impair its usefulness.

Consolidations.

§ 10. Said company shall have power to unite its railroad with any other continuous line of railroad in this state or Indiana, now constructed or hereafter to be constructed.

Indebtedness.

§ 11. Said company is hereby authorized, from time to time, to borrow money, in such sums as may be necessary for the completion and equipment of said railway, and to issue bonds therefor, drawing not more than ten per cent. interest, per annum, and, to secure such loan, may mortgage, or convey by trust-deed, the corporate property and franchises of said company.

Bridges, etc.

§ 12. The said company is hereby authorized to construct and maintain bridges, for the use of said railway, over any and all streams of water over or across which the line of said railway shall run.

County, city and town subscription and donations.

§ 13. The several villages, cities, counties and towns organized under the township organization law or any other law of this state, along or near the route of said road or that are in anywise interested therein, may, in their corporate capacities, subscribe to the stock of said company, or make donations thereto, or may lend its or their credit to said company, to aid in constructing and equipping said railway: *Provided*, that no such subscriptions, donations or loans shall be made until the same shall be voted for as hereinafter provided.

Proviso.

Application of corporations requesting elections to determine subscriptions.

§ 14. Whenever ten legal voters of any such village, city, county or town shall present to the clerk thereof a written application, requesting that an election shall be held to determine whether such village, city, county or town shall subscribe to the capital stock of said company, or make a donation thereto, or loan money, bonds, or its credit, to aid in constructing or equipping said railway, stating the amount, and whether subscribed, donated or loaned, and the rate of interest and times of payment of the bonds to be issued in payment thereof, such clerk shall receive and file such application, and shall immediately proceed to post

Publication of.

written or printed notices of an election, to be held by the

legal voters of such village, city, county or town, which notice shall be posted in four of the most public places of such village, city, county or town, for ten days preceding an election; and said notices shall state fully the objects of such election; and said election shall be held and conducted and returns thereof made, as provided by law in this state and the charters of any such village or city, and additional returns thereof to one of the corporators in this act. Each elector shall vote at such election for subscription, donation or loan, as the case may be, or against such subscription, donation or loan, as the case may be; and if a majority of the votes at such election shall be in favor of such subscription, donation or loan, then the corporate authorities of such village, city, county or town, or in towns organized under the township organization laws of this state, the supervisor of such town shall subscribe to the stock of said company, or donate or loan thereto, as shall be determined at such election, the amount so voted at such election, and shall issue the bonds of such village, city, county or town to said railway company, in such denominations as said company shall designate, drawing interest at the rate of ten per cent. per annum; and the interest on said bonds to be paid annually, and said bonds to be paid ten years from the date of their issue. The interest and the bonds shall be paid at the county treasurer's office, in the city of Bloomington, McLean county, Illinois, as the same shall become due; and said bonds to be signed, in case of a village, by the trustees thereof; in case of a city, by the mayor thereof; and, in case of a county, by the chairman of the board of supervisors thereof; and, in case of a township, by the supervisor thereof; and, in all cases, to be countersigned by the clerk of such village, city, county or town; and any such village, city, county or town subscribing stock, donating or loaning to said railway, as aforesaid, shall, by its proper corporate authorities, annually thereafter levy and collect a sufficient tax on its assessed property to pay the interest on its bonds so issued, as aforesaid: *Provided*, that no such bonds shall be delivered to said railway company or any payment made on such subscription, donation or loan, until an amount of work shall have been done on said railway in such town or on such part of the line of said railway as said town, city, village or county shall designate, equal in value to the amount so subscribed, donated or loaned.

Manner of
voting for.

Bonds.

Date of pay-
ment.

Interest on
bonds.

§ 15. Said company is hereby authorized to receive subscriptions to its capital stock, payable either in real or personal property; and, in case of failure on the part of any subscriber to complete such subscription, the said company may sue such subscriber for the amount, in value, of his said, or her, or their said subscriptions; and said company is further authorized to receive subscriptions to its capital

Property sub-
scription.

Labor subscrip- stock, payable in labor, work, materials or any other kind
tion. of property.

Time of com- § 16. The said company shall commence work on said
mencement road in five years from the passage of this act, and shall
and completion complete the same within ten years from the date of the
of road. passage of this act. Should said company fail to finish
said road, or any part thereof, within the time specified,
Forfeiture of said company shall not forfeit any of the rights acquired
franchises. under this act to that portion of said road which may be
finished within the time above mentioned, but shall have
all the rights, privileges, immunities and franchises the same
as if the whole of said road had been finished within the
time above specified: *Provided, further*, that the registry of
voters last had preceding any election to be held under the
provisions of this act shall be the registry for such election.

§ 17. This act shall be declared a public act, and shall
take effect from and after its passage.

APPROVED February 28, 1867.

In force Feb'y AN ACT to incorporate the Decatur and East St. Louis Railroad Company.
26, 1867.

SECTION 1. *Be it enacted by the People of the State of
Illinois, represented in the General Assembly*, That Sheridan
Wait, of Macon county; Horatio M. Vandever, of Chris-
Corporators. tian county; Edward Y. Rice, of Montgomery county;
Robert Hoxey, of Macoupin county; Joseph Gillespie, of
Madison county, and Benjamin Sicken, of St. Clair county,
and such other persons as they may associate with them,
and their successors, are hereby constituted a body corporate
and politic, by the name and style of "The Decatur and
Corporate name East St. Louis Railroad Company," with perpetual succes-
and powers. sion; and, by that name and style, shall be capable in law
or equity of suing and being sued, of pleading and being
impleaded in any suit in law or equity in this state, and of
taking, purchasing, holding, leasing, selling and conveying
estate or property, whether real, personal or mixed, so far
as the same may be necessary for the purpose hereinafter
mentioned; and may have a common seal, and the same alter
and renew at pleasure; and may have and exercise all the
powers, rights, privileges and immunities which are or may
be necessary or proper to carry into effect the purposes and
objects of this act.

Location. § 2. The Decatur and East St. Louis Railroad Company
shall have full power and authority to locate, construct, finish
and maintain a railroad, with one or more tracks, com-
mencing at some suitable point, at or near the town of De-
catur, in Macon county, Illinois, and running from thence

to East St. Louis, through the towns of Taylorville, in Christian county, Litchfield, in Montgomery county, Stanton, in Macoupin county, and Edwardsville, in Madison county, upon the most eligible route, and to transport, take and carry property and persons upon said railroad, by power or force of steam or animals, or any mechanical or other power, or combination of them, which said company may choose to apply; and for the purpose of constructing said railroad or way said company shall have authority to lay out, designate and establish their road, in width not exceeding one hundred feet, through the entire line thereof, and may take and appropriate to their own use all such lands, so designated, for the line and construction of said road, upon paying or tendering therefor the amount of damages as shall be settled by appraisal in the manner provided for by the general laws of this state, on all such lands or premises as may be taken for any track or tracks upon which said road may be located; and for the purpose of cuttings, embankments, spoil-banks and of obtaining stone, gravel or other material, may take and appropriate as much more land as may be deemed necessary for the proper construction, maintenance and security of said road; and for constructing shops, depots, and other suitable fixtures, as appurtenant to said road, may take, have, hold and use any lands on either or both sides of said road, not exceeding three hundred feet in width. Said company may take all such lands as gifts or purchases, or by making compensation as above provided.

Mode of transportation.

Dimensions of road.

Appropriation of lands.

§ 3. Said company shall have full power and authority to enter upon any lands of the state or of any county therein, or of any individual or individuals or bodies politic or corporate, and, by their servants and agents, to make the necessary surveys for the location and construction of said road and its branches, and, also, for procuring the necessary sand, gravel, timber and other materials necessary for the construction, use and maintenance of their road and branches and its appurtenances, upon the land so appropriated and to be used for that purpose.

Possession and use of lands.

Surveys.

§ 4. The said company shall have power and authority to condemn, as aforesaid, such temporary right to any land as shall be thought necessary; and in estimating damages for the right of way or other rights affected under this act, the commissioners or jury shall take into consideration the benefits to be derived to the owner or occupier from the construction and operation of said road, in pursuance of the constitution and laws of this state.

Condemn lands

§ 5. The capital stock of said company shall be five millions of dollars, with power to increase the same as the wants of said company shall require, which shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and which may be issued, transferred and registered in such manner and at such places as

Capital stock

may be prescribed by said company, and shall, also, prescribe the time and manner in which all subscriptions of stock may be made and paid, and may authorize and conduct all actions and suits at law or in equity for the recovery of such subscriptions or installments, or portions thereof, as they may deem necessary, and may, in addition, declare all stock upon which any installment is due and unpaid, forfeited, and the same may be transferred either to said company or to any purchaser thereof, which proceeding may be had upon and after such notice and the expiration of such time as may be provided for by the said company, through the board of directors.

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| Directors | § 6. The above named persons, or a majority thereof, shall constitute the first board of directors of said company—one of whom shall be elected president of the board. |
| Meeting. | The first meeting shall be held at Litchfield, and the subsequent meetings at such times and places as may be provided by said company. Said first meeting may be held at any time when two-thirds of the above named directors shall meet together, with or without previous notice. Said incorporators or directors shall hold their offices until their successors are elected and qualified; and their successors shall be elected and hold office for one year and until their successors are elected and qualified. The directors shall prescribe the time and place of election of directors and of the president, secretary, treasurer and other officers of the company, and the qualifications of those voting and to be voted for. The secretary shall keep and preserve a correct record of all the proceedings and doings of the board of directors and of such duties as may be required of him. The book or books in which such records shall be kept shall be <i>prima facie</i> evidence of the truth of such records, in any court or place of judicature, in this state, wherein such company shall be a party. Vacancies in the board of directors may be filled by two-thirds of the remaining members until the next election. The said board of directors may, at any meeting, direct the opening of books of subscription to the capital stock of said company, at such times and places and in such manner and upon such notice as they may deem advisable. They shall have power to prescribe the amount which shall be paid in at the time of subscription. They may also commence the construction of said road without reference to the amount of stock which may be subscribed at the time of such commencement. Said company shall have power to appoint a treasurer and prescribe his duties, and shall require bond, with security, for the faithful performance of his duties, which shall be binding in law and equity. Said company shall have power to regulate the tolls, charges and rates for the transportation of freight and passengers upon said road, and may change and alter the same at pleasure: <i>Provided</i> , that due notice |
| Term of office. | |
| Officers. | |
| Duties of secretary. | |
| Vacancies—how filled. | |
| Subscription to stock. | |
| Construction of road. | |
| Treasurer's bonds. | |
| Rates of transportation. | |

of such change be given, as may be provided for by the board of directors. The company shall have the right to build, purchase or hire all the necessary rolling stock for the use and operation of said road.

§ 7. Said company shall have power to make, ordain and establish such by-laws, rules and regulations, for the government of the officers of said company, as may be deemed proper, not inconsistent with the constitution and laws of this state or of the United States. It may cross with its road or branches any other railroad, highway, dyke, embankment or water course, so as not to impair its usefulness. The property of said company shall be liable to taxation as other property.

By-laws.

Crossings.

Tax.

§ 8. Any person who shall willfully or maliciously do or cause to be done any damage to said road, or to any car, machine or engine, structure or building, bridge or culvert, appertaining to said road, or who shall stop or obstruct or attempt to stop or obstruct any cars or vehicle, in motion or expected to be in motion, shall be punished by indictment and fined in a sum not exceeding one thousand dollars and imprisoned in the penitentiary not exceeding five years, unless in case where death shall result from such obstruction, in which event, if it shall happen by reason of any person maliciously weakening any part of said road or its fixtures, or by placing obstructions thereon, or otherwise causing said road to be dangerous to life or limb, the person committing such acts or causing them to be committed, whereby any death ensues, shall on conviction be deemed guilty of and punished for murder.

Penalties.

§ 9. The said company is authorized to borrow such sum or sums of money as may be necessary to construct and operate its road, and to issue and dispose of its bonds, in such denominations and at such rate of interest or discount and in such form and upon such terms and conditions as to them shall seem best for effecting the speedy completion of said road and the carrying on of the business herein authorized.

Indebtedness.

§ 10. The certificate of the secretary of said company, under the seal of said company, shall be received in all courts and places as evidence of the rules and by-laws, of the appointment of agents and officers, and of any order of said company or their directors, and also of the due organization of said company, and of any fact set forth in their books and records.

Evidence of rules.

§ 11. No forfeiture shall take place by reason of the non-completion of the whole of said road, but such part as may be completed may be operated by the company.

Forfeiture of franchises.

§ 12. Said company shall have power to connect and unite its railroad with any other railroad, or railroads now constructed or which may hereafter be constructed within this state, which may cross or interect the same or be built at

Connections.

either end thereof, upon such terms as may be mutually agreed upon; and for that purpose power is hereby given to said company to make and execute such contract with any other company or companies as shall secure the objects of such connection.

Rates.

§ 13. It shall be the duty of the first board of directors chosen by the stockholders to arrange and settle upon a tariff of rates for the transportation of persons and of every description of freight which may be brought to their depots or places of business, and the same shall be safely and speedily carried, taken and delivered, according to the usual mode among common carriers.

Intersections.

§ 14. Whenever it shall be necessary to intersect or cross any other railroad or highway, dyke, embankment, stream, etc., the terms and manner in which the crossing or intersection shall be made, if not agreed upon by the proper parties, shall be settled and the damages fixed by the commissioners appointed to assess damages, as in other cases.

Location.

§ 15. In case suitable ground can not be economically and conveniently procured in East St. Louis, for depot and other purposes, it shall be lawful for the company to strike the Mississippi river, and establish its depots and other appurtenances and fixtures, offices, shops, etc., at any point on said river, above said place, and may condemn all land necessary for all such purposes at such point, under and in pursuance of the provisions of this act and charter.

County sub-
scriptions.

Amount of.

Bonds.

Proviso.

§ 16. The counties of Macon, Christian, Macoupin and Madison, are severally hereby authorized to subscribe to the capital stock of said company to an amount not exceeding fifty thousand dollars each, and to issue its bonds for the same, upon such terms as may be agreed upon between the county and the company: *Provided*, that no county shall subscribe stock, except upon the conditions that, before its bonds shall be issued or delivered, the road shall be constructed through each county; and any contract made by any of such counties in pursuance of this act shall be binding and valid upon and against such county or counties the same as if between individuals; and any township, town, city or village along the line of said road may make any contract to subscribe stock to the said road, in the same manner and with like effect as is provided in reference to the counties.

§ 17. This act shall be deemed and taken to be a public act, and shall take effect and be in force from and after its passage.

APPROVED February 26, 1867.

AN ACT to incorporate the Forreston and Chicago Railroad Company. In force Feb'y 26, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Jacob Rodarmel, John J. Hewett, Henry A. Mix, Alexander H. Stone, Mathew Blair, Francis W. S. Brawley, Conrad J. Fry, Joshua White, John Hays, Jeremiah Patterson, John W. Hitt, Isaac Rice, Millican Hunt, Adam Nase, James S. Waterman, Chauncey Elwood, Reuben Elwood, Daniel Pearce, and their associates and assigns, be and they are hereby made and constituted a body politic and corporate, by the name and style of "The Forreston and Chicago Railroad Company," with perpetual succession; and, by that name and style, shall be capable of suing and being sued, pleading and being impleaded, in any suit in law or equity in this state, and of taking, purchasing, holding, leasing, selling and conveying estate or property, whether real, personal or mixed, so far as the same may be necessary for the purposes hereinafter mentioned, and no further; may have a common seal, which they may alter or renew at pleasure; and may have and exercise all the powers, rights, privileges and immunities which are or may be necessary or proper to carry into effect the purposes and objects of this act, as hereinafter mentioned.

Corporators

Name and style

Powers.

§ 2. The said Forreston and Chicago Railroad Company shall have full power and authority to locate, construct, finish and maintain a railroad, with one or more tracks, commencing at some suitable point, at or near the town or village of Forreston, in Ogle county, on the Illinois Central Railroad; running from thence to a point at or near the city of Chicago, in the county of Cook, upon the most eligible route the said company may deem advisable, crossing Rock river at or near Oregon, or at or near Byron, in the county of Ogle; and thence in a direct line, as near as may be practicable, to the city of Aurora, in the county of Kane; thence to Chicago, upon the most eligible route; and to take and carry property and persons upon said railroad, by power or force of steam or animals or any mechanical or other power, which said company may choose to use or apply. Said company are hereby empowered to lay out, designate, establish, take, hold and use, for the ordinary track of said railroad, the width of one hundred feet, along the entire route thereof; they may take and appropriate to their own use all such lands, so designated for the line and construction of said road, upon first paying or tendering therefor the amount of damages as shall have been agreed upon between the owner or owners thereof, or, in case no agreement has been so made, then upon paying or tendering therefor the amount of damages as shall have been settled by appraisal in the manner as provided for in the act to provide for a general sys-

Line and route of road.

Mode of transportation.

Width of road.

Possession of lands, etc.

tem of railroad incorporations, approved November 5, 1849, and in an act amendatory to said act, approved June 22, 1852, under which said acts the said company is hereby authorized to proceed for the purpose of procuring the right of way for said road. Said company are hereby empowered, for the purpose of cuttings or embankments and for the purpose of obtaining stone or gravel, to take and appropriate as much more land as may be necessary for the proper construction, maintenance and security of said road and for constructing shops, depots, buildings and suitable fixtures, as appurtenant to said road; they may take, have and use any lands on east side thereof, not exceeding three hundred feet in width from said road—said company taking all such lands as gifts or purchases, or making compensation therefor, as above provided.

Right of way.

Appropriation
of lands.

Extension of
line of.

§ 3. It shall be lawful for said company, and they are hereby authorized and empowered, at any time or times before the expiration of this charter, to project and extend the line of said road from the said town of Forreston to some point on the Mississippi river, by way of Mt. Carroll, in the county of Carroll—the line thereof to pass within sixty rods of the court house, in said Mt. Carroll, and also, in like manner to extend and project the line of said road from the said town of Forreston to the city of Freeport, in the county of Stephenson. Such projections and extensions, with the necessary appendages, shall be laid out, built and governed, and rights of way and other grounds obtained therefor, under and according to the provisions of this act; and such projections and extensions shall be and become, in the aforesaid and all other respects, within the meaning and operation of this act, so far as practicable and applicable, and the same shall be treated in all respects as and be a part and portion of the main line of the aforesaid road.

Capital stock.

§ 4. The capital stock of said company shall be one million of dollars, with the right to increase the same to an amount equal to the cost of the construction and equipping said road, which stock shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued, transferred and registered in such time, place and manner as may be prescribed by said company, who shall also provide the time and manner in which all subscriptions of stock may be paid; and may authorize and conduct all actions and suits at law or in equity for the recovery of such subscriptions or installments thereof, as they may deem necessary; and, in addition, may declare all stock upon which any installment is due and unpaid forfeited, and the same may be transferred, either to said company or to the subsequent purchasers thereof; which proceeding may be had upon and after such notice and the expiration of such time as may be provided for by said company, through the board of directors.

Suits at law.

§ 5. The above named persons, or a majority thereof, shall constitute the first board of directors of said company, one of whom shall be elected president of the board. The first meeting shall be held at Forreston, and the subsequent meetings at such time and place as may be designated by said board. Said directors shall hold their office for one year and until their successors shall be chosen and qualified; and the said board shall prescribe the number of subsequent directors, the same to be not less than seven nor more than thirteen, and shall prescribe the time and place of holding such elections, and the qualifications of those voting and to be voted for as directors. Said directors may choose a secretary, who shall keep and preserve a correct record of all the proceedings and doings of said board and of such other matters and things as may be required of him; and the book or books in which said records shall be kept shall be *prima facie* evidence of the truth of such records in any court or place of adjudication in this state, wherein said company shall be a party. Vacancies in said board may be filled by two-thirds of the remaining members until the next election. The said board of directors, at any meeting, may direct the opening of books at such times and places and in such manner and upon such notice as they may deem advisable; they shall, also, have power to prescribe the amount which shall be paid in at the time of subscription; they may, also commence the construction of said road, without reference to the amount of stock which may be subscribed at the time of such commencement. Said company shall also have power to appoint a treasurer, and may prescribe his duties, and may require a bond, with security, for the faithful performance of his duties as such, which shall be binding in law or equity upon the persons entering into the same. Said company shall have power to regulate the tolls, rates and charges for transportation of freight and passengers upon the said road, and may change and alter the same at pleasure: *Provided*, that due notice of such change shall be given, as prescribed by the said board. Said company shall also have power to build or purchase all necessary locomotives, passenger, freight and other cars or vehicles, for the use of said road, or to hire or rent the same from other persons or companies.

§ 6. This company shall have power to make, ordain and establish such by-laws, rules and regulations, for the government of the affairs of said corporation, as they may deem proper, and not inconsistent with the constitution of and laws of this state or of the constitution of the United States.

§ 7. Said company shall have the right to cross any other railroad, or other road or highway, or water course, in such a manner as not to materially impair their usefulness.

Directors.

Meetings.

Tenure of office

Secretary.

Records.

Vacancies.

Subscription.

Amount of.

Treasurer's bonds.

Rates of transportation.

May build, purchase or hire running stock.

By-laws.

Crossings.

Taxes.

§ 8. Said company shall be liable to taxation for state and county purposes, as other property in this state, and the rolling stock thereon shall be taxed as and in like manner as the rolling stock in other railroads, is by law taxed for state and county purposes.

Penalties, etc.

§ 9. Any person who shall do or cause to be done any mischief to said road, or any car, machine, engine, structure, building or other matter appertaining to said road, or who shall stop or obstruct, or attempt to stop or obstruct any car, engine or vehicle, in motion or about to be put in motion, shall be punished by indictment and fined in a sum not exceeding one thousand dollars and imprisonment in the state penitentiary for a term not exceeding five years; and any person who shall maliciously, by weakening any part of said road or its fixtures, or by placing obstructions thereon, or otherwise willfully causing the same to be dangerous to life or limb and shall thereby cause the death of any person using or being carried on said road, shall be deemed guilty of murder, and punished accordingly; and for all offenses done or intended, and not herein named, the person or persons so doing or intending, shall be punished as now is or may hereafter be provided by law.

Indebtedness.

§ 10. The said company is hereby authorized to borrow such sum or sums of money as may be necessary for completing and operating said road, and to issue and dispose of their bonds in such denominations as they may prescribe, at such rates of interest or discount as they shall determine upon, and in such form and upon such terms and conditions as to them shall seem best for effecting the speedy completion of said road; and they shall have the right to mortgage or in any manner to pledge their said road, its property and rights, of every description, so as to secure the payment of any [sum] or sums of money borrowed; and they may do all things which natural persons might or could do for effecting this object; and all such liens, mortgages, deeds of trust, or other instrument or instruments as may be executed by said company, or its authorized agents, shall be deemed and taken to be valid and effectual in all courts and places, according to the true intent of the parties thereto.

Qualified directors.

§ 11. That no person shall be elected director of this road, as hereinbefore provided, unless he shall be, at the time of such election, a resident of this state.

Forfeitures.

§ 12. No forfeiture shall be occasioned or occur by reason of the non-completion of the whole of said road, but the company shall be permitted to use and operate so much and such part thereof as they may have the means to construct. And the proceedings of the company incorporated under this act, in all things necessary to enable them to build, establish, maintain and operate their road, not herein provided for, shall be governed by the general internal im-

provement law of this state, approved November 5th, 1849, and the act amendatory thereof.

§ 13. The said company shall commence the construction of said railroad within six years and complete the same within fifteen [years] from the passage of this act. Construction of road.

§ 14. The company hereby incorporated shall not consolidate its property, franchises or stock with the Chicago and Northwestern Railroad Company or any of its branches, nor shall said company hereby incorporated lease or sell its railroad, or any part thereof, to the said Chicago and Northwestern Railroad Company. Consolidation.

§ 15. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 26, 1867.

AN ACT concerning the Mount Carbon Coal and Railroad Company. In force Feb'y 26, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Mount Carbon Coal and Railroad Company be and are hereby authorized to consolidate the present stock of said company, and to redivide the same into ten thousand shares, of one hundred dollars each, thereby reducing the number of shares from forty thousand to ten thousand, and changing the par value of each share from twenty-five to one hundred-dollars: *Provided*, that in case any stockholder should be the owner of an odd number of such shares of twenty-five dollars each, the said company may and shall purchase the odd share of and from the holder thereof, and shall pay for the same the par value thereof; or, if the market value thereof shall be above par, they shall pay for the same the ruling market price. Consolidation and re-division of stock.

§ 2. That the said company be and hereby are authorized to increase their capital stock two millions of dollars, by the issue of twenty thousand shares, of one hundred dollars each, at such times and in such amounts as the directors shall determine; and the directors are hereby empowered to give the holders of the bonds of the company the privilege of converting their bonds into stock of the company. Increase of stock.

§ 3. That the number of directors of said company be increased to nine, such increase to take effect at the next annual election. Increase of directors.

§ 4. That the said company, in addition to the powers that they now have, may improve the navigation of the Big Muddy river, from their mines to the Mississippi river, in such manner and at such times as they may deem Additional powers.

proper: *Provided, however,* that said improvement be commenced within two years and completed within five years from the passage of this act.

Lands and
water rights.

§ 5. That said company may condemn such lands and have such water-rights as may be necessary for the improvement of the Big Muddy river, as contemplated by this act, or for the extension of their railroad, as the same may be allowed to be extended by the provisions of the charter of said company, but for no other purpose; and all damages arising therefrom to any person or persons, companies or corporations, shall be estimated and recovered in the manner set forth in and in accordance with the provisions of an act entitled an "An act to provide for a general system of railroad incorporations," approved November 5, A. D. 1849, and any act or acts amendatory thereof or supplemental thereto.

Indebtedness.

§ 6. That in addition to the sums heretofore authorized, the said company are hereby empowered to borrow not exceeding five hundred thousand dollars, and to issue their bonds therefor, and to secure said bonds by mortgage upon any or all of the property or improvements of said company: *Provided, however,* that no bond shall be issued for a less sum than one hundred dollars, and that the rate of interest shall not exceed ten per cent.

Telegraph lines

§ 7. That said company shall have the right to construct a line or lines of telegraph along their railroad, and to maintain and operate the same, and shall have all the powers and privileges and be subject to the liabilities prescribed by an act in relation to telegraphs, enacted by the people of the state of Illinois, represented in the general assembly, approved February 9, 1849, and any act or acts amendatory thereof or supplemental thereto.

Amendment to
section 7.

§ 8. That the seventh section of the "Act to incorporate the Mount Carbon Coal Company," be amended, by adding to said section as follows: "Or in the absence of the president from the state, such other officer of the company as may be designated by the board of directors."

Mt Carbon coal
and R.R. Co.

§ 9. That the authority given under the second section of an act entitled "An act in relation to the Mount Carbon Coal and Railroad Company," approved February 16, 1865, be so construed as to authorize said company to borrow money for the general purposes expressed in said section, not to exceed, however, at any one time, the aggregate cost to said company of their property and improvements.

§ 10. This act shall be deemed and taken as a public act, and shall be in full force and effect from and after its passage.

APPROVED February 25, 1867.

AN ACT to incorporate the Freeport and Monroe Railroad Company.

In force April
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John W. Stewart, — Ludlow, John Bower, George S. Caldwell, Abraham Bower, Charles Moore, William Wagenhals, John H. Addams, James Benson, Frederick Bolender, James Mitchell, John K. Brewster and Andrew Hinds, are hereby made and constituted a body corporate and politic, by the name and style of "Freeport and Monroe Railroad Company," with perpetual succession; and, by that name and style, shall be capable in law of taking, purchasing, holding, leasing, selling and conveying estate and property, whether real or personal or mixed, so far as the same may be necessary for the purposes hereinafter mentioned, and no further; and, in their corporate name, to sue and be sued; to have a common seal, which they may renew or alter at pleasure; and may have and exercise all powers, rights, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act, as the same are hereinafter set forth.

Corporators.

Name and style

Corporate
powers.

§ 2. The said company are hereby authorized and empowered to locate, and, from time to time, to alter, change, relocate, construct, reconstruct and fully to finish, perfect and maintain a railroad, with one or more tracks, commencing at or near Freeport, on the Illinois Central Railroad, or any other railroad now built or that may hereafter be built in Stephenson county; thence on the most eligible route to the town of Cedarville; thence to the town of Orangeville; thence to some point or points on the north line of this state, in Stephenson county; thence to connect with any road or roads that are or may hereafter be constructed within the state of Wisconsin, to said state line; and the said company are further authorized to use and operate said railroad, and shall have power and authority to regulate the time and manner in which goods, effects and persons shall be transported on the same, and to prescribe the manner in which said railroad shall be used, and the rate of toll for transportation of persons or property thereon, and for the storage of merchandise or other property under their charge; and shall have power to provide all necessary stock and materials for the operation of said road; and shall have power to erect and maintain all necessary depots, stations, shops and other buildings and machinery for the accommodation, management and operation of said road.

Powers, etc.

Line of road.

Connections.

Transportation
of goods, etc.

Storage of
property.

Depots, etc.

§ 3. The following named persons shall constitute the first board of directors, to-wit: John W. Stewart, — Ludlow, John Bower, George S. Caldwell, Abraham Bower, Charles Moore, William Wagenhals, John H.

Directors.

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| Organization | Addams, James Benson, Frederick Bolender, James Mitchell, John K. Brewster and Andrew Hinds. Said directors shall organize the board within three years from the passage of this act, by electing one of their number president, and by appointing a secretary and treasurer; and the directors present shall certify the said organization, under their hands, which certificate shall be recorded in the record books of said company, and shall be sufficient evidence of the organization of said company. The directors herein named shall hold their office until the first Wednesday in October following their organization, and until their successors are elected and qualified, as herein provided for. Vacancies in the board may be filled by a vote of two-thirds of the directors remaining, at any regular meeting of the board, or at any special meeting called for that purpose. |
| Officers. | |
| Term of office of directors. | |
| Time and place of opening books for subscription. | |
| Power to survey and locate | § 4. The within named directors shall, within twenty days after their organization, give at least thirty days' notice of the time and place, along the line of said road, where books will be opened for the purpose of procuring subscriptions to the capital stock of said company; and said directors shall continue to receive subscriptions, either personally or by such agents as they shall appoint for that purpose, until the sum of fifty thousand dollars is subscribed and five per cent. paid thereon. Said directors, or their successors, may proceed, by their engineers, to survey, locate and construct said railroad. Certificates of stock shall be signed by the president and countersigned by the secretary and treasurer of said company, each of whom shall keep a fair record of the same; which shall be subject to the inspection of any stockholder. |
| Certificates of stock. | |
| Record. | |
| Election of directors. | § 5. Said board of directors, and each succeeding board, shall give at least thirty days' notice previous to the first Wednesday in October of each year, of an election by the stockholders, of a board of fifteen directors, at least eleven of whom shall be chosen from stockholders resident within the counties through which the road is located. All elections for directors shall be held at the city of Freeport. At any election held for directors, each share of stock shall be entitled to one vote, to be given either in person or by proxy; and the persons receiving the largest number of votes to be declared duly elected, and to hold their office until the next election and until their successors are elected and qualified. All elections for directors to be conducted by three judges, selected by the stockholders present. 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 said election, or upon any stock upon which there is any due or unpaid installments. |
| Place and manner of election. | |
| Term of office. | |
| Vote of stockholders. | |

§ 6. If any board of directors fail or refuse to give notice of the time herein specified for the annual election of directors, then any five stockholders may, in writing, require the secretary to give thirty days' notice; and it shall be his duty to give said notice, so required, for any election of directors; and, at the expiration of the time, the stockholders present shall proceed and elect directors, as herein provided for the election of directors; and the directors so elected shall constitute the legal board.

Failure to give notice of time of election.

§ 7. The general offices of the company shall be located in the city of Freeport, where all the books of record shall be kept and the general business of the company shall be transacted. There shall be kept at the secretary's office, in the city of Freeport, a full record of the name and residence of each stockholder, and the number of shares held by each. Said record shall, at all times, during business hours, be subject to the inspection of any stockholder.

General office.

§ 8. The capital stock of said company shall be seven hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and may be increased, from time to time, by a vote of a majority in interest of stockholders, at their annual meeting, or at any special meeting called for that purpose by the directors of said company, to any sum requisite for the completion of the said railroad. Previous to a vote being taken for an increase of the capital stock, the directors shall give a full statement of the objects for which said increase is required; also, make a full report of the condition and affairs of the company. The shares in said company shall be deemed and considered personal property.

Capital stock.

Increase of stock.

§ 9. It shall be lawful for all persons, of lawful age, or for the agents of any corporate body, duly authorized, in behalf of the same, to subscribe to any amount of capital stock: *Provided*, that the directors of said corporation may, at their discretion, limit the amount of stock that any person, corporation, or any agent may subscribe in their own name or the name of any other person.

Subscription to stock.

Provide.

§ 10. It shall be lawful for the directors to make calls upon the sums subscribed to the capital stock of said company, at such time or times, and in such amounts as they shall deem fit, giving at least thirty days' notice of each of said calls; and, in case of failure of any stockholder to make payment of any call by said directors, for sixty days after the same shall have become due, the said board of directors are hereby authorized to declare said stock so in arrears and all sums paid thereon forfeited to said company, or to recover such unpaid sum or sums in an action of debt, in any court having jurisdiction thereof.

Calls for subscription — notice of.

Stock in arrears

§ 11. And the said company are hereby authorized, by their engineers and agents, to enter any land, for the purpose of making the necessary surveys and examinations for

Examinations and surveys.

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| | said road, and to enter upon, and take, and hold, all lands necessary for the construction of said railroad and its appendages, first making just and reasonable compensation to the owners of said lands for any damages that may arise to them from the building of said railroad; and, in case the said company shall not be able to obtain the title to any lands or premises that may be necessary for the purpose of said road and its appendages, by purchase or voluntary cession, the same may be obtained in the mode provided by the provisions of the twenty-second section of an act entitled "An act to provide for a general system of railroad incorporations," passed November 5, A. D., 1849: <i>Provided</i> , that |
| Damages. | after the appraisal of damages, in pursuance of said act, |
| Titles. | and upon deposit of the amount of such appraisal in the office of the clerk of the circuit court of the county wherever such lands may be situated, the said company shall be authorized to enter upon such lands for the construction of said road. |
| Proviso. | |
| Appraisal. | |
| Indebtedness. | § 12. The said company are authorized and empowered to borrow, from time to time, such sums of money, not exceeding double the amount of stock subscribed and upon which at least twenty-five per cent. shall have been paid, as may be necessary for constructing, completing and finishing or operating said railroad, and to issue and dispose of their bonds, in denominations of not less than five hundred dollars for any amount so borrowed, and to pay any rate of interest therefor, not exceeding ten per cent., and to pledge and mortgage the said road and its appendages, or any part thereof, or any other property, effects, rights, credits or franchises of the said company, as security for any loan of money and interest thereon, and to dispose of the bonds issued for such loan, at such rates and on such terms as two-thirds of the directors may determine. |
| Dividends. | § 13. The said company shall, annually or semi-annually, make such dividends as they shall deem proper of the net profits, receipts or incomes of said company among the stockholders therein, in proper proportion to their respective shares. |
| By-laws, etc. | § 14. Said company shall have power to make, ordain and establish all such by-laws, rules and regulations, as may be deemed expedient and necessary to fulfill the purposes and carry into effect the provisions of this act, and for the well ordering and securing the affairs and interest of said company: <i>Provided</i> , that the same be not repugnant to the constitution and laws of the United States or of this state. This act and all by laws that may be adopted by the directors of said company, and all additions or alterations thereto, shall be printed in convenient form and distributed among the stockholders of said company. |
| Proviso. | |

§ 15. It shall be lawful for any fifteen stockholders, by giving thirty days' notice, stating the objects, to call a meeting of the stockholders of said company; and the secretary of said company shall certify said call and record the same, as well as all matters that may be transacted under such call. The stockholders present under such call may proceed and appoint, from among themselves, a committee of three, with full power to examine all books, papers and accounts belonging to said company; and said committee may employ any competent accountant or accountants, to aid in said examination; and said committee shall have full power to examine any officer or officers, agent or agents, or employee of said company, under oath, to be administered by the chairman of said committee; and said officer, agent or employee shall duly answer all questions that may be required of them by said committee, touching any matter or matters relating to the affairs of said company; and the officers and agents of said company shall aid, as far as in their power, said committee, as they may require, in said examination. The expense of said examination shall be paid from the treasury of said company, upon warrants drawn upon the treasurer, and certified by said committee; and said committee shall make a detailed report of said examination, at such time or times as said stockholders shall direct.

Meeting of stockholders.

Appointment of committees.

Examination of officers' acc'ts

Expenses of examination.

Reports.

§ 16. Notice shall be published in the papers printed within the counties through which the said road is located, for subscriptions to the capital stock, and elections of directors, and calls for installments to be paid upon the capital stock, and all meetings of stockholders. All matters intended for the action of stockholders, by the directors or stockholders authorized to call meetings, shall be published in the notice given for the meeting before which said matters will be brought.

Stock subscription notices.

§ 17. The corporation shall be bound to repair all public highways, bridges and water courses, which may be injured in constructing said railroad or its appendages, and shall restore them, as far as practicable, to as good a condition as they were before they were injured.

Repairs of property taken.

§ 18. The company shall be allowed six years from the passage of this act for the commencement of said railroad; and, in case the same shall not be completed in ten years thereafter, the privileges herein granted shall be forfeited.

Time of commencement and completion of road.

§ 19. This act shall be deemed and taken as a public act, and shall be construed beneficially for all purposes herein specified or intended.

Construction of act.

APPROVED February 25, 1867.

In force Feb'y 25, 1867. AN ACT to amend an act entitled "An act to incorporate the Chicago and Plainfield Railroad Company."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the charter of the Chicago and Plainfield Railroad Company, approved February 24th, 1859, be and the same is hereby so amended as to allow said company the right to extend their line of railroad from some eligible point thereon, near the southern line of Kendall county; thence, southwesterly, into the county of Peoria, with full power to connect with any other railroad in said county, and also to connect with any other railroad over which said extended line may run, or which it may approach, and to construct, equip and operate the same, in such manner as is already provided in said charter.

Additional powers. Capital stock. § 2. The capital stock of said company shall be two millions of dollars, with power, by resolution of the board of directors, to increase the same to three millions of dollars. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED February 25, 1867.

In force January 30, 1867. AN ACT to aid in restoring the records of the Board of Supervisors of Iroquois county, and to legalize the same, when so restored.

Preamble.

WHEREAS, the records of the board of supervisors of Iroquois county, including the assessor's books and the collector's books, for the year, A. D. 1866, and the tax sale records of said county, and the journal of the proceedings of said board, were partially destroyed by fire on the 16th day of October last; and, whereas, it became necessary for said board to direct that the several town assessors of said county make out, as nearly as practical, substantial copies of said assessor's books, properly attested by them; and, whereas, said copies have been made and attested, as so directed by said board, and returned to the county clerk's office of said county, and said clerk has made out collector's books and extended the various taxes for said year 1866, in accordance with said copies of assessor's books, so made; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said copies of the assessor's books, so made, attested and returned to the county clerk's office of said county, and the said collector's books, so made out, and the extension of

Assessor's books of 1866, valid.

the taxes thereon by said clerk, for said year, A. D. 1866, in accordance with said copies of assessor's books, so made, attested and returned to said clerk, be and the same are hereby declared, in all respects, to be as valid both in law and equity as assessor's books and collector's books made in the usual manner and at the time required by general law of this state.

§ 2. *And be it further enacted*, That the county clerk of said county be and he is hereby directed to procure suitable books, at the expense of said county, in which to record, in the same form and manner as the sale of lands for taxes are required by law to be recorded, and shall enter of record therein all the material facts stated in any and all tax sale certificates, heretofore made out by the clerk of said county, and the record of which has been destroyed, which may be presented to him for that purpose; and said record shall, for all purposes, be as valid as tax sale records can or may be under the general laws of this state; and said clerk shall be allowed for the same like compensation and be paid in the same manner as for making tax sale records. And said clerk shall cause to be published, for six weeks, successively, in some newspaper published in said county, a notice to all holders of tax sale certificates of sales of lands for taxes in said county to present the same for record in said clerk's office; and in case any holder of such tax sale certificate shall, for six months after the publication of such notice, neglect or refuse to so present such certificate for record, he or she so neglecting and refusing to present the same for record, and his or her heirs, executors, administrators and assigns, shall forfeit all his or her rights, as now exist in law or equity, by virtue of such tax sale certificate, and shall be barred from asserting, in any manner, any right, title or interest under or by virtue of such tax sale certificate.

Duties of
county clerk.

Compensation.

§ 3. *And be it further enacted*, That all holders of tax sale certificates of the sale of lands for taxes in said county, who shall neglect or refuse to procure and file for record in the recorder's office of said county any deed or deeds of conveyance of the lands of which such holders may be entitled by law, for six months after the expiration of two years from the sale of such lands, the person or persons so neglecting and refusing, and his, her or their heirs, executors, administrators and assigns, shall, thereafter, forfeit all right, both in law and equity, to in any manner assert or enforce title under and by virtue of such tax sale certificate or certificates.

Liabilities of
holders of
certificates.

§ 4. *And be it further enacted*, That the county clerk of said county shall, under the direction of said board of supervisors procure and enter of record upon suitable books for that purpose, copies of all the proceedings of said board for the year, A. D. 1866, and from said last mentioned year up to the said 16th day of October last, as published in the

Entry of
proceedings.

newspapers of said county ; and when said proceedings be so recorded and the record thereof be approved by said board, the same shall be *prima facie* evidence of the facts therein stated.

Acts repealed. § 5. All acts or parts of acts in conflict with this act are hereby repealed.

Public act. § 6. This shall be deemed a public act, and be in force from and after its passage.

Duty of sec'y of state. § 7. The secretary of state shall, immediately after the passage of this act, transmit a duly certified copy thereof to the county clerk of Iroquois county.

APPROVED January 30, 1867.

In force Feb'y
23, 1867.

AN ACT concerning the records of Cumberland county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edwin S. Norfolk, clerk of the circuit court of said Cumberland county, shall copy or employ some suitable and competent person or persons to copy into a well bound book or books, at the expense of said county, all deeds and mortgages relating to lands lying in said Cumberland county, and which deeds and mortgages were recorded in the county of Coles previous to the organization of said Cumberland county.

Authority to copy records. § 2. The said clerk, person or persons by him employed to procure copies, as aforesaid, shall have full access to the records and books of the recorder's office of the county of Coles, for the purpose of making such copies with the original record in his office, and, if they find them correct, he shall make a certificate to that effect, under his hand and seal of his office, at the end of each volume.

Privileges of copyist. § 3. At the end of each deed or mortgage, copied as aforesaid, the person copying the same shall note the volume and page of the record from which it is copied.

Volume and the page to be noted. § 4. That for the service in employing such copies, the recorder of Coles county shall be entitled to a compensation, not exceeding ten cents for each deed or mortgage so compared by him, to be paid by Cumberland county.

Compensation. § 5. The said clerk of Cumberland county shall receive for each copy so made the amount now allowed by law for recording deeds and mortgages in said county of Cumberland, to be paid out of the county treasury of said Cumberland county, on the completion of the copying of the records aforesaid.

How paid. § 6. The said clerk shall make, or cause to be made, or procure a full and complete sectional index of all the lands

Index required.

in the said county of Cumberland, also to make or cause to be made a full and complete cross index from grantor to grantee and from grantee to grantor; all to be paid for out of the county treasury of the aforesaid county of Cumberland; the whole to be done within one year from the passage of this act, and to be paid for by the county in orders drawn by the proper authorities when said work is done as aforesaid.

§ 7. *Be it further enacted*, That all acts and parts of acts coming in conflict with the provisions of the foregoing act shall be deemed to have no force or effect in the county of Cumberland. Conflicting act
without force.

§ 8. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED February 23, 1867.

AN ACT in relation to the records of Winnebago county.

In force February 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That, it is made the duty of the board of supervisors of the county of Winnebago to appoint some competent person to transcribe the tax judgment and tax sale records of said county. Tax and rec'ds
to be transcribed.

§ 2. It shall be and hereby is made the duty of the person so appointed to make exact copies and transcripts of all said records, in suitable books, to be provided for said purpose by said county; and his compensation shall be the same per tract and lot as is allowed by law to the clerk of the county court for making up such records, to be paid by the county. Compensation.

§ 3. Each book, so made, shall be certified by the person aforesaid and by the clerk of the county court of said county, as a true and complete copy of the original record, as ascertained by them, by comparing the same with the said original, and, from the date of such certificate, shall have all the force, effect and authority of the original as to judgments and sales for taxes respectively. Books to be
certified.

§ 4. Should the appointee under this act vacate his said office, for any cause, before the completion of said transcripts, said board of supervisors shall appoint successors, from time to time, as vacancies may occur; and said successors shall have all the rights, power and authority of the person originally appointed, and shall proceed accordingly to the completion of the duties hereinbefore prescribed. Vacancies.
Successors.

§ 5. Said board of supervisors shall have and are hereby given the power, at such time or times hereafter, as to them may seem proper, to appoint persons to transcribe the vari- Books to be
provided.

ous records in the offices of the clerk of the county court and clerk of the board of supervisors of said county, in suitable books, to be provided by the county, whose duties shall be performed in the way and manner hereinbefore prescribed, and whose compensation shall be the same as allowed by law to said clerks, respectively, for the original records, and shall be paid by said county; and such transcripts shall have all the force, effect and authority of said originals, and shall be certified by said appointee of said board and by said clerks, respectively, in the way and manner hereinbefore directed.

To be certified
to.

§ 6. This act shall take effect and be in force from and after the date of its passage.

APPROVED February 25, 1867.

In force Feb'y
28, 1867.

AN ACT in relation to the records of Madison county.

County clerks
to transcribe
records.

Records shall
be evidence.

Copy of indexes
to records.

To furnish
books.

Compensation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the clerk of the circuit court of Madison county be and he is hereby authorized to copy and transcribe into new books, to remain as books of record in his office, so many of the record books of deeds, mortgages, entry books and town plats, in the office of said clerk, as the county court of said county may deem necessary and advisable to have copied; which records, so copied into new record books, shall be evidence, and copies from said books shall be received in evidence, in the same manner as copies of the original records; and the said clerk, when directed by the county court, shall be authorized to transcribe into new well bound books a complete copy of the indexes pertaining to the records of deeds and other instruments of writing, which have been or may hereafter be recorded in his office, and for the purpose of carrying into effect the object and intention of this act, the said county court is authorized to direct the said clerk to procure the necessary books and to pay for the same out of the county treasury.

§ 2. The said clerk shall receive such pay and compensation for said copies as may be deemed fair and just by the said court, and the clerk and the said court shall draw an order on the treasurer of said county for the same.

§ 3. This act to be in force from and after its passage.
APPROVED February 28, 1867.

AN ACT to authorize certain records to be transcribed.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the county court of Perry county to provide a sufficient number of blank books, substantially bound and of the usual size of deed records, which books, when provided, shall be delivered to Evan B. Rushing, of Pinckneyville, county of Perry, and state of Illinois, who shall receipt for the same.

Duty of county
court of Perry.

§ 2. As soon as such books shall have been delivered to said Evan B. Rushing, he shall, in due time, proceed to the office of the clerk of the county court of said Perry county, and shall, from the books and the papers on file required by law to be recorded in said office, make out and record, in a fair and legible manner, in the books furnished him for that purpose, all probate records, records of wills, marriage records, affidavits made in pursuance of the ninth article of the new constitution of the state of Illinois to obtain tax deeds to lands sold for taxes, and all other records and papers necessary to be transcribed and recorded prior to the year 1849, in said office; after which the said Evan B. Rushing shall make a certificate, at the end of each book, that the same was correctly copied.

Evan B. Rush-
ing.

Probate records
etc.

Tax deeds.

Certificates.

§ 3. When said transcripts shall have been completed and certified by said Evan B. Rushing, as aforesaid, and deposited in said clerk's office in said county of Perry, they shall, to all intents and purposes, be considered as books of record of the county court of said Perry county, and copies of such transcribed records, certified by the clerk of the county court of said Perry county, shall be evidence in all courts in this state, in the same manner that copies of other instruments regularly recorded in the county clerk's office of said county are evidence, and with like effect.

Certificate of
transcript.

Evidence of.

§ 4. It shall be the duty of the clerk of the county court of said Perry county to permit the said Evan B. Rushing to make transcripts of all and every of the books and papers aforesaid, and, for that purpose, to have access to and the use of the books and papers aforesaid in his said office.

Access to books
and papers.

§ 5. Upon the completion of said transcribed records, aforesaid, by the said Evan B. Rushing, the county court of said county of Perry shall make an order on the treasurer of said county, in favor of said Evan B. Rushing, for his services at and after the rate of ten cents for every one hundred words contained in said transcripts, ten cents for indexing, and fifty cents for each certificate; which said order shall be paid as other county orders are now required by law to be paid.

Completion of.

Compensation.

§ 6. This act to take effect from and after its passage.
APPROVED February 28, 1867.

In force April 23, 1867. AN ACT to authorize the transcribing of certain records in Hamilton and Franklin counties.

Preamble.

WHEREAS, certain records of deeds, bonds and mortgages, and other instruments of writing, required by law to be recorded in the office of the recorder of the county of Hamilton, have, from the lapse of years, become greatly impaired and almost illegible; therefore,

Authority granted.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Richard W. Townshend, clerk of the circuit court and, *ex officio*, recorder, within and for said county of Hamilton, be and he is hereby authorized to transcribe the records contained in deeds record books, marked and lettered A, B, C, and D, or cause the same to be done.

Substitute for original.

§ 2. *Be it further enacted*, That the said records A, B, C, and D, when they shall be transcribed and completed, shall be considered and are hereby declared to be a substitute for the original records made in said county, as follows, to-wit: Book "A," of the original book in said office, marked "A," and book "B," of the original book "B," and book "C," of the original book in said office, marked "C," and book "D," of the original book of said office, marked "D."

Certified copies

§ 3. *Be it further enacted*, That certified copies of the instruments in the said transcribed records shall be made, when required, and shall be received and taken as evidence in all cases when copies of the original books in said office would have been so taken and recorded.

Fees.

§ 4. *Be it further enacted*, That Richard W. Townshend shall be allowed fees for his services as aforesaid, at the rate of ten cents for every one hundred words contained in said transcript, the same to become due and payable whenever the said transcribed records shall be completed and duly certified by him, and ready to deliver for the public use—the amount thereof to be ascertained by the county court of said county; and an order shall be drawn in favor of said Townshend therefor, by said court, upon the treasurer of said Hamilton county; which order shall be paid as other county orders are now by law required to be paid.

When due.

How paid.

Duties of clerk.

§ 5. *Be it further enacted*, That it shall be the duty of the said Richard W. Townshend, clerk, etc., as aforesaid, to write in said books of transcript, a certificate to the effect that the same are true and faithful transcripts, respectively, of books "A," "B," "C," and "D," therein transcribed, and shall file a copy of said certificates in the office of the clerk of the county court of said Hamilton county, from and after which time this act shall be in force and a public law.

Marriage rec'd

§ 6. And the county court of the county of Franklin is hereby authorized to have the marriage records of said county transcribed into a suitable book, procured for that

purpose; and said book, when so transcribed, as aforesaid, or a duly certified copy of the same, or any part thereof, shall be evidence of the facts therein contained, and have the same effect in law as the original record.

APPROVED February 28, 1867.

AN ACT for the relief of the heirs at law of Edward Bement.

In force March
7, 1867.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* whenever the heirs or legal representatives of Edward Bement shall execute a good and sufficient bond, in the sum of four thousand five hundred dollars, payable to the state of Illinois, with such securities as shall be approved by the governor and secretary of state, and conditioned for the full indemnity of the state against the production, payment or liability, in any manner whatsoever, by reason of two certain certificates of the state of Illinois, denominated "interest stock of 1857," and numbered 2599, for one thousand dollars, and 2600, for one thousand one hundred and thirty-six dollars, (describing in said indemnity bond said certificates, to the satisfaction of the governor,) and file the said bond in the office of the secretary of state, the governor be and he is hereby authorized and required to issue new certificates, bearing corresponding numbers, and for the same amounts as the certificates hereinabove recited, payable to Edward Bement; and each of said certificates shall bear upon its face the word "duplicate," which said certificates, so issued, in pursuance of this act, shall be of the same force and effect of the original certificates heretofore issued to the said Edward Bement, and dated July 1, 1857, and lost on or about the 27th day of October, 1858, and shall entitle the holder thereof to the same rights, privileges, and payments, in all respects whatsoever, as though he were the holder of original certificates.

Bond executed.

Description of
lost certificate

Filing bond.

Duplicate
certificates.

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

APPROVED March 7, 1867.

AN ACT for the relief of the town of Manteno, Kankakee county, in the matter of assessments.

In force March
9, 1867.

WHEREAS there seems to be great inequality in the assessment of the real estate of the town of Manteno, in the county

of Kankakee, for the year 1866, making the burden of taxation bear unequally upon the citizens of said town; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the assessment return of said town, for the year 1866, be and the same is hereby set aside, and Joseph E. Saline, of said town, is hereby appointed special assessor, to re-assess the real estate property of said town. That the county clerk of the county of Kankakee furnish the said special assessor with the usual blanks and books for such purpose, and that the said special assessor proceed to make assessment of the real estate of said town, and make return, as soon as practicable, to the county clerk; and that the said clerk shall then proceed to extend the taxes of said town on the new assessment, as is by law required: *Provided*, that nothing in this act shall be construed to affect any other than the assessment of the year 1866.

§ 2. That the time for the collection of taxes in said town be and the same hereby is extended to March 15, 1867.

§ 3. This act to take effect and be in force from and after its passage.

APPROVED March 9, 1867.

In force June
12, 1867.

AN ACT for the relief of Frederick D. S. Stewart.

Preamble.

Judgment
against Stewart

WHEREAS Frederick D. S. Stewart was county treasurer of the county of Will, for the years 1860 and 1861, and, *ex officio*, county collector of taxes for the years 1859 and 1860; and whereas, owing to the financial difficulties arising on the breaking out of the rebellion, in 1861, the said Stewart became delinquent to the state of Illinois for taxes received by him, not through any fault of his own, but in consequence of the failure of banking houses in the city of Joliet with whom said taxes were deposited; and whereas judgment was obtained against said Stewart, in favor of the state, for the sum of three thousand eight hundred and ninety-three dollars and fifty-four cents, at the April term, 1862, of the Sangamon county circuit court; and whereas said judgment has since been fully paid, with interest and costs, by said Stewart; and whereas said Stewart, in order to obtain means to pay said judgment, without permitting his sureties on his official bond to incur any loss whatever, disposed of all his property at great sacrifice and loss; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the audi-

tor of public accounts be and he is hereby directed to draw his warrant on the state treasurer, in favor of said Frederick D. S. Stewart, for the sum of three thousand dollars, to be paid out of any money in the treasury not otherwise appropriated.

§ 2. This act to take effect and be in force from and after its passage.

This bill having remained with the governor from the last day of the regular session of the twenty-fifth general assembly, who, by their adjournment, prevented its return within ten days, and not having been returned on the first day of the meeting of the general assembly, after the expiration of said ten days, has become a law, and is filed in this office, this 12th day of June, A. D., 1857. SHARON TYNDALÉ, Sec'y of State.

AN ACT for the relief of Mrs. Julia Ann Avery.

In force March
7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Mrs. Julia Ann Avery, wife of Edward D. Avery, of Madison county, Illinois, is hereby declared to be of full age of majority, and is authorized and empowered to grant, sell and convey lands, tenements hereditaments, in as full, ample and complete a manner as adult married women are now authorized by law to do, and, in general, to transact all business and affairs as fully as if she were of full age.

Of full age of
majority.

Power and
authority.

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

APPROVED March 7, 1867.

AN ACT for the relief of the citizens of the American Bottom, in St. Clair county.

In force March
4, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the state tax raised in townships one (1) and two (2), of north ranges nine (9) and ten (10), towns one (1) and two (2), north range nine (9), and towns one (1) and two (2), north range ten (10) west of the third principal meridian, in St. Clair county, Illinois, be and the same is hereby appropriated, for the term of five years, to assist in paying for building, improving and repairing levees and embankments, built and to be built by the American Bottom Board of Improvement, chartered by an act of this general assembly, approved 10th February, 1853, to prevent the lands in the American Bottom, in said townships, from being overflowed by high water of the Mississippi river.

Appropriation
of state taxes.

§ 2. It shall be the duty of the county clerk of St. Clair county to give to the treasurer of the American Bot-

Certificates of
amount of tax.

tom Board of Improvement, as soon as practicable after the return of the tax books, each year, including the year 1866, be made to him by the assessor, a certificate of the amount of state tax to be collected from the townships named in the first section of this act, and also shall transmit to the auditor of public accounts a similar certificate each year; and when said tax shall be collected, each year, including the tax for the year 1866, the county collector, on presentation of a certificate to him, shall, after the deduction of legal abatements and commissions, and upon the filing of the bonds hereinafter required, pay over to the treasurer of the said American Bottom Board of Improvement the balance of the amount so certified; and the auditor of public accounts is hereby authorized to give said collector credit for the amount of said certificate, upon a settlement with him for taxes due to the state.

Payment of
balance.

Credit for
amount of.

Duties of trea-
surer.

§ 3. It shall be the duty of said treasurer to pay out the said money so received by him from said collector, for the purpose of paying the expenses hereafter to be incurred in building, improving or repairing said levees and embankments, and the interest upon the same, as may be deemed best by the board of directors of said company, said American Bottom Board of Improvement, and under their order and direction.

Bonds.

Approved.

Applica'ion of
money.

§ 4. The said company shall each year, by its president and secretary, enter into bond with the people of the state of Illinois, with security, to be approved by the judge of the twenty-fourth judicial circuit of the state of Illinois, in the penal sum of twenty thousand dollars, conditioned for the due and faithful application of said money, as provided herein, and for the repayment to the state of any sum which may come into the hands of said treasurer, not needed for the purposes aforesaid.

Filing state-
ment.

§ 5. It shall be the duty of said company, the American Bottom Board of Improvement, on the first day of December, each year, to file with the clerk a statement, sworn to by the president and secretary of said company, of the amount received each year, under the provision of this act, and the manner in which the same has been expended; and whenever it shall appear that there is no need for the further application of the state tax, as aforesaid, then said taxes shall be paid into the state treasury, as in other cases.

Interference
with powers.

§ 6. Nothing herein contained shall in any manner interfere with the powers, rights and privileges contained in the act of incorporation of the said American Bottom Board of Improvement.

§ 7. This act to be a public act, and be in force from and after its passage.

APPROVED March 4, 1867.

AN ACT for the relief of Hector S. Humphrey, late treasurer of Kendall county. In force March 6, 1867.

WHEREAS Hector S. Humphrey, late treasurer of Kendall county, is liable to the state, upon his official bond, for the sum of twenty-two hundred dollars, revenue collected by him for the year A. D. 1859, and judgment has been rendered by the supreme court of this state against said Humphrey and his securities, William Wagner, Charles Snyder and John D. Hall, for the amount of the revenue due the state for the year A. D. 1859; and, whereas, the said Humphrey lost by the failure of the bank of Aurora and other banks, an amount of money far greater than said judgment, and by reason of said losses he is unable to pay said judgment; now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That if the said Humphrey, or any of said securities, as aforesaid, shall pay, within sixty days from the passage of this act, one half of said judgment and the interest that has accrued thereon, together with all the costs of said suit in the supreme court, then the said Humphrey and the said securities, as aforesaid, be and they are hereby released and discharged from the payment of the residue of the said judgment and interest, so far as the state of Illinois is interested in any revenue due said state in said judgment; and the auditor is hereby authorized and required to cause said judgment to be entered satisfied.

Payment of half of judgment and costs.

Released from payment of residue.

Judgment entered satisfied.

§ 2. This act to take effect and be in force from and after its passage.

APPROVED March 6, 1867.

AN ACT to amend "An act for the relief of the inhabitants of township 3, N., R. 10, and of the inhabitants of township No. 3, N, R. 9 W., in Madison county, Illinois," approved February 16, 1857. In force March 7, 1867.

WHEREAS, by an act of the legislature of the state of Illinois, entitled "An act for the relief of the inhabitants of township 3 N., R. 10, and of the inhabitants of township No. 3. N., R. 9 W., in Madison county, Illinois," approved February 16, 1857, power was given to said townships to unite in the erection of a suitable building for a high school, for the use of said townships, and to use the surplus funds of said townships for that purpose; and whereas, under and by virtue of said act, a school house was erected in township three, range 10, and which is now used for a common school, and is situated in district No. 2, in said townships, under said act, and which school house is of

Preamble.

no benefit or advantage to district No. one, in township No. 3 N., R. 10 W.; and whereas the amount of surplus funds now belonging to said school organization exceeds the sum of \$18,800 dollars; and whereas the number of children in said district No. one exceeds the number in the other two districts taken together; therefore,

Act approved
Feb'y 16, 1867,
amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That said act be so amended and construed as to allow to the inhabitants of said school district No. one, out of the surplus funds of said townships, not exceeding the sum of three thousand five hundred dollars, to be expended in the erection in said school district No. 1, of a school building, to be used as a graded school, under the direction of the school directors of said district; and the trustees of said township No 3 N., R. 10 W., are hereby required, upon the application, in writing, of the school directors of said district No. one, to draw an order on the treasurer for such sums as the school directors may deem proper, under the provisions of this act, not however to exceed the said amount of three thousand five hundred dollars.

§ 2. This act to be in force from and after its passage.

APPROVED March 7, 1867.

In force March
7, 1867.

AN ACT for the relief of Johnson county.

Preamble.

WHEREAS it is represented to us by the citizens and county court of Johnson county, that the county revenue, as now provided by law, of said county, is barely sufficient to pay the ordinary expenses of the county; that there is old outstanding indebtedness against said county, which the present county revenue is wholly insufficient to liquidate; and whereas, also, it is further represented to us that the court house and jail of said county are in a dilapidated and decayed condition, and unsafe and unfit for public use; now therefore, for the relief of said county,

Liquidation of
indebtedness.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That, in case the county court of Johnson county deem it expedient, they are hereby authorized to borrow money for the liquidation of said outstanding county indebtedness and the construction of public buildings for said county, and issue county bonds therefor, each bond for an amount not less than one hundred dollars; and said bonds, in the aggregate, of not more than thirty thousand dollars. Said bonds shall be made due six years from the date of issuing the same, and may be redeemable at any time, at the option of the

Bonds.

county court of said county, and bear no greater interest than ten per cent., payable annually by the county treasurer of said county on the first Monday in December of each year.

§ 2. Whenever said bonds shall be issued by the order of said county court, it shall be the duty of the county judge to sign the same, and the county clerk shall countersign the same and attach thereto the county seal, and said bonds, so executed, shall be obligatory on said county. Signed and countersigned.

§ 3. *Be it further enacted*, That the county court of Johnson county, and their successors in office, be and they are hereby authorized and empowered to levy a special tax, annually, for the term of five years from the first Monday in December, 1867, not exceeding sixty cents on each one hundred dollars' worth of personal and real estate in said county, to be used as a sinking fund for the purpose of liquidating the said indebtedness of Johnson county, and paying the interest and principal of said county bonds as the same may become due. Special tax.
How used.

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

APPROVED March 7, 1867.

AN ACT for the relief of the Collinsville and St. Louis Plank Road Company. In force March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Collinsville Plank Road Company be and they are hereby authorized to collect tolls on said road, such as they collected on the first of November, A. D. 1866, until the 4th day of November A. D. 1867, at which time said road shall be examined by commissioners, as provided by law; and in case said road is condemned said company shall not be permitted to charge tolls until said road is put in good repair and accepted by said commissioners. Collection of taxes.
Condemnation of road.

§ 2. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED March 7, 1867

In force March 7, 1867. AN ACT for the relief of the village of Naperville, in the county of Du Page.

Preamble.

WHEREAS the question of removing the county seat of Du Page county from the village of Naperville to the town of Wheaton, is to be submitted to the voters of said county, in accordance with an act passed by this general assembly; and whereas the village of Naperville, or the citizens thereof, have heretofore conveyed to said county of Du Page, free of charge, the real estate on which the present county buildings are located; and whereas the said village of Naperville, or the citizens thereof, have, also, at their own cost and expense, erected on said real estate, certain buildings, for the use of said county; now, therefore,

Removal of
county seat.

Duties of
supervisors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That, in case a majority of the legal voters of said county shall decide in favor of the removal of the county seat from Naperville to Wheaton, it shall be lawful for the supervisors of said county of Du Page, upon the completion of the new county buildings at Wheaton, and after the removal of the records, books, and other personal property of said county thereto, to release and quit-claim to said village of Naperville all the right and title of said county of Du Page in and to all such real estate, as said county may heretofore have received for county purposes, free of charge, from the said village of Naperville, or the citizens thereof, and, also, such of the buildings and improvements thereon as may have been erected or made thereon at the sole expense of the village of Naperville, or the citizens thereof.

§ 2. This act shall be a public act, and be in force from and after its passage.

APPROVED March 7, 1867.

In force Feb'y 12, 1867. AN ACT for the relief of the tax payers of school district number one, in the town of Evanston, Cook county.

Preamble.

WHEREAS, by an error made in estimating the amount of the school tax by the percentage on the valuation of the property of school district number one, in the town of Evanston, Cook county, double the amount of tax necessary for school purposes for the year 1867 was assessed in the tax bill, and now in the hands of the town collector; therefore,

Abatement of
school tax.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the collector of the town of Evanston be and he is hereby required and directed to abate from his tax list one-half the amount

of the school tax set opposite to the name of each person or parcel of land named or designated in said tax list, residing or lying in said school district.

§ 2. The said collector referred to in the preceding section is hereby required and directed to refund and pay back to each individual from whom he has collected said school tax, residing in said district number one, one-half the school tax thus collected by him.

Refund individual tax.

§ 3. This act shall take effect and be in force from and after its passage.

APPROVED February 12, 1867.

AN ACT for the relief of Wabash county.

In force January 30, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all acts of the county court of Wabash county pertaining to the levying and collecting of special tax for the purpose of redeeming the eight per cent. coupon bonds of said county, issued to the Illinois Southern Railroad Company, and all taxes heretofore levied and county orders issued by said court, for said purpose, be and the same are hereby legalized.

Acts of county court legalized

§ 2. The county court of Wabash county is hereby authorized to levy and collect, annually, a special tax, not exceeding five per centum of the assessed valuation of all taxable property in said county, for the purpose of redeeming its ten per cent. county orders.

Taxes—rate of.

§ 3. This act to be in force from and after its passage.

APPROVED January 30, 1867.

AN ACT for the relief of Union District, No. 7, in Saline county.

In force February 18, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That during the existence of Union district No. 7, composed of parts of townships 8 and 9, range 5, and townships 8 and 9, range 6, in Saline county, the schedules of schools in said district shall be returned to the treasurer of township 9, range 6, and shall be acted upon by the trustees of said township; and the sheriff of the county shall pay to said treasurer the school taxes for said district; and the county superintendent shall apportion the amount of money due said district, from time to time, and pay the same over to said treasurer;

Return of schedules.

Payment of taxes.

and the treasurers of townships 8 and 9, range 5, and township 8, range 6, shall pay over, from time to time, to the treasurer of township 9, range 6, such proportion of the township fund as is due said district.

§ 2. This act to be in force from and after its passage.

APPROVED February 18, 1867.

In force Feb'y 18, 1867. AN ACT authorizing the county court of Montgomery county to make an appropriation for the relief of William M. Witherspoon.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county court of Montgomery county shall have power, and said court is hereby authorized, when sitting as a court for county purposes, to appropriate money, and to make the necessary order for the payment thereof, to William M. Witherspoon, a resident of said county, for the amount of money expended by him for surgical attendance because of a wound necessitating the amputation of the right arm at the shoulder joint—said wound received by him whilst serving as a part of the *posse comitatus*, of said county, summoned by William N. Stephenson, deputy sheriff of said county, in the month of July or August, 1864, for the purpose of aiding said deputy sheriff in the execution of civil process against a certain body of men constituting a military organization under the command of one Clingman, otherwise called Erasmus Wood, and said body of men being at the time aforesaid encamped upon the border of said county of Montgomery; and said county court is further authorized when so sitting as a court, to appropriate money and make the necessary order for the payment thereof, to said William M. Witherspoon, of a sum as sufficient compensation for loss of time by said William M. Witherspoon, whilst recovering from his said wound aforesaid; which said sum, so paid as compensation, shall not exceed the rate of three dollars per day nor for a longer period than ninety days. Said county court shall have power to hear testimony touching said claim for money paid for surgical attendance and for compensation for loss of time, as provided in this act, should they deem it expedient so to do; and the determination of said court as to such allowance and compensation shall be final.

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

APPROVED February 18, 1867.

AN ACT for the relief of Elizabeth Lane, administratrix of Samuel Horine, In force Feb'y
deceased. 21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever Elizabeth Lane, administratrix of the estate of Samuel Horine, deceased, shall execute a good and sufficient bond, in the sum of one thousand dollars, payable to the state of Illinois, with such securities as shall be approved by the governor and secretary of state, and conditioned for the full indemnity of the state against the production, payment, liability, in any manner whatsoever, by reason of a certain five hundred dollar interest bond of 1847, number 374, (describing in said indemnity bond to the governor, the said interest bond number 374,) and file the same in the office of the secretary of state, the governor is hereby authorized and required to issue a new bond, which shall express upon its face interest bond No. —, for five hundred dollars of the state of Illinois of 1847, number 374, issued to William J. Furman, and afterwards, on the tenth day of August, 1850, duly transferred to Samuel Horine, now deceased, which said bond shall be of the same force and effect [as the] bond heretofore issued, as aforesaid, to the said William J. Furman, and afterwards transferred to Samuel Horine, and entitle the holder thereof to the same rights, privileges and payments, in all respects whatever, as though the holder of the original bond.

Amount of bond
to be approved

Bond filed.

Date of interest
bond, etc.

Transferred, etc

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

APPROVED February 21, 1867.

AN ACT for the relief of the Collinsville Plank Road Company.

In force Feb'y
21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Collinsville Plank Road Company, organized under the general plank road law of this state, be allowed until the first day of November, eighteen hundred and sixty-seven, to put in repair said road.

Time allowed to
repair road.

§ 2. That said plank road company shall have power, and are hereby authorized, from the date of this act, to collect their lawful rates of toll. But on and after the first day of November, eighteen hundred and sixty-seven, they shall be subject to the general laws regulating plank roads of this state.

Rates of toll

Termi us.

§ 3. That the western terminus of said road shall be what is now or hereafter may by law be made the eastern limits of the city of East St. Louis.

§ 4. This act shall be in force from and after its passage.

APPROVED February 21, 1867.

In force Feb'y
28, 1867.

AN ACT for the relief of the school fund of township eleven north, of range three west, 3 P. M.

Preamble.

WHEREAS, at the October term of the Christian county circuit court, A. D. 1863, judgment for one thousand seventy-three dollars and sixty cents rendered in favor of the board of trustees of said township, in said county, against Jas. H. Cisna, Sanford Petty and William C. Jenigan, and said judgment was and still is wholly unavailable, on account of the insolvency of said defendants; and whereas, the school board of said township is in danger of losing the whole amount of said judgment, unless a portion thereof can be secured by compromise with the parties, through their friends; therefore,

Authority to
compromise
and arrange
judgments.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of trustees of said township be and they are hereby authorized to compromise and arrange said judgment with the parties, or either of them, on such terms and for such portion of said judgment as in their discretion they may deem for the interest of the school fund of said township.

§ 2. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

In force April
25, 1867.

AN ACT to amend an act entitled "An act for the relief of the heirs and assigns of John Wilson, deceased," approved January 28, 1857.

Act approved
Feb'y 18, 1859,
in force.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all and singular the provisions, grants and restrictions contained in the act to which this is an amendment and the act supplementary thereto, approved February 18, 1857, be and the same are hereby continued in force for and during a period of fourteen years from and after the passage of this act: *Provided*, that the sum of five hundred dollars, required by the fifth section of said act to be paid per year, shall be re-

Annual amount
of money re-
duced.

duced to the sum of one hundred dollars per year from and after the opening to public use of any free bridge across the Mississippi river, between the cities of Rock Island and Davenport, therein mentioned.

APPROVED February 25, 1867.

AN ACT supplementary to an act to make certain improvements on the Wabash river and its tributaries, approved February 16, 1865. In force Feb'y 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the taxes levied and collected for state purposes for the years eighteen hundred and sixty six and eighteen hundred and sixty seven, and for eight years thereafter, from the real estate lying and being within the following limits, in the county of Lawrence, to-wit: townships three (3,) four (4,) five (5,) north, range ten (10) west, and townships three (3,) four (4,) and five (5) north, range eleven (11) west, be appropriated and applied to the construction of the improvements contemplated by said act aforesaid.

Application of
taxes.

§ 2. *Be it further enacted,* That the treasurer of Lawrence county is hereby authorized and directed to pay over to the treasurer of said board of directors provided for in said act, all moneys which he shall collect for state taxes levied on said real estate, aforesaid, for the years aforesaid, so soon as the same shall be collected, and shall take from said treasurer duplicate receipts for the same, one of which receipts he shall transmit to the auditor of state and shall constitute a voucher for the amount so paid over by him of the revenue of the state for his county, and the same shall entitle him to a credit for that amount, as if paid to the state treasurer on the revenue of the state by him collected.

Disposition of
moneys collected.

§ 3. *Be it further enacted,* That the board of directors authorized by the said act of the legislature, aforesaid, shall apply the moneys collected and paid over to the treasurer of said board, as aforesaid, to the same purpose for which any other moneys arising from taxes levied and collected by virtue of the provisions of said act are intended, directed and authorized to be applied, and no other whatever.

Application of
moneys collected
and paid
over.

§ 4. *Be it further enacted,* That this act shall be deemed a public act, and shall be in force from and after its passage.

APPROVED February 28, 1867.

In force Feb'y 22, 1867. AN ACT to amend an act entitled "an act to amend 'an act to provide for the construction of a levee from Prairie du Pont village, in St. Clair county, to Harrisonville, in Monroe county,' approved February 24, 1859, and to declare the commissioners appointed by virtue of said act a body corporate, under the name and style of the St. Clair and Monroe Levee and Drainage Company," approved February 16, 1865.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section thirteen, of said act, be and is hereby so amended as to give the collectors of said company, being the sheriffs of the said counties of St. Clair and Monroe, in their respective counties, until the second Monday of March, in the year after each tax is levied, to return his delinquent list, as provided for in said section.

Extension of
time for return
of delinquent
tax list.

Assessments
legalized.

§ 2. All assessments made by said levee commissioners since the 16th of February, 1865, are hereby legalized; and proceedings may be had, if necessary, to collect any back taxes unpaid under section 31 of said act, to which all the provisions of said section 31 shall apply as therein provided.

Duties of
county clerk.

§ 3. It shall be the duty of the clerks of the respective county courts of St. Clair and Monroe counties to make out and certify true lists of the lands lying in their counties, within said levee district, together with the taxes assessed thereon, severally, for the year 1859 and for subsequent years, for which said levee commissioners claim an allowance for increased taxes, also showing how much tax has been actually collected on such tracts of land severally for state and for county purposes, and showing the amounts so actually collected for state and also for county purposes on the lands in said levee districts, over and above the taxes assessed on all the lands in said levee district for the year 1859; and, upon presenting the same to the auditor of public accounts, he shall issue an order on the treasurer of the state of Illinois for the excess of state taxes to which said levee commissioners are entitled to under section 29 of the act to which this is an amendment; and, upon a similar certificate, the county clerks of St. Clair and Monroe counties shall issue an order on the county treasurers of their respective counties for the said excess of county taxes over the taxes of 1859, collected on such levee lands in such county; and it shall be the duty of the state and county treasurers, aforesaid, to pay the same out of any moneys not otherwise appropriated. This section shall apply to the years 1865 and 1866 as well as to subsequent years.

Duties of
commissioners

§ 4. It shall be the duty of said levee commissioners to furnish said clerks of said county courts with their books and with plats, showing the description and location of the lands in said levee district.

§ 2. This act shall be in force from and after its passage.
APPROVED February 22, 1867.

AN ACT to continue in force an act entitled "An act to incorporate the Harrisonville Levee and Drainage Company," and to amend the same. In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the state of Illinois, represented in the General Assembly,* That the act to incorporate the Harrisonville Levee and Drainage Company, approved February 2, 1861, is hereby declared to be in full force and effect, in all respects, the same as if the commissioners of organization named in the act to which this is an amendment, had proceeded to organize said company in accordance with the provisions of said amended act. Act approved Feb'y 21, 1861, in full force.

§ 2. Stephen W. Miles, Lewis Thorn, William W. Bamber, William Kinney and Austin James, are hereby constituted a board of commissioners of organization, for carrying out the provisions of this act, and the act to which this is an amendment; and, for that purpose, may assess and collect a tax, not exceeding two thousand dollars, as provided in sections thirty-five and thirty-six of said amended act. The lists of lands provided for in said section thirty-six shall be made out on or before the 10th day of November, A. D. 1867, and to be delivered to the sheriff of Monroe county, on or before the 1st day of December next thereafter, and by him to be entered on the tax book for that year; and the taxes assessed upon the lands contained in the list so entered, shall be by him collected with the taxes for state and county purposes. Commissioners. Taxes. List of lands.

§ 3. The clerk of the county court of said Monroe county shall certify to the auditor of state, and to the county court of said county the amount of "all taxes collected on the lands in said district over and above the amount which would have been collected by the state and county, respectively, if said lands were assessed the same as in A. D. 1859." And it is hereby made the duty of the auditor to draw his warrant, and the county court of said county to issue their order, for the amount so certified to them; upon which warrant and order the state treasurer and county treasurer of said county shall pay to the said company the amounts thereof, as provided in section 32 of said amended act. Certificates of am't of taxes collected. Warrants for. Payment of.

§ 4. The bonds of said company shall not be sold for less than seventy-five per cent. of their par value. Sale of bonds.

§ 5. So much of the act to which this is an amendment as is in conflict with the provisions of this act, is hereby repealed. Conflicting act repealed.

§ 6. This act is hereby declared to be a public act, and to be in force from and after its passage.

APPROVED February 28, 1867.

In force March 7, 1867. AN ACT to amend an act entitled "An act to levy and make certain improvements on the Wabash river, and its tributaries," approved Feb. 16, 1865.

Preamble.

WHEREAS, doubts may arise as to the true construction of section one of said act; therefore,

Construction of sec. 1, of act approved February 16, 1865. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the commissioners appointed or elected to locate and superintend the construction of the levees therein mentioned, are hereby authorized and required to construe section one of said act so that the left bank of Flat creek and Purgatory creek, from a point near Russellville to a point north of the highlands near William M. Robinson's, shall be leveed in such manner as may be required to prevent the overflow upon Allison prairie from the Wabash and its tributaries.

§ 2. This act to take effect and be in force from and after its passage.

APPROVED March 7, 1867.

In force March 7, 1867. AN ACT to amend an act approved Feb. 19, 1859, entitled "An act to authorize the drainage of lands and the construction of levees, embankments [and roads] in Madison county, Illinois."

Application of sec. 3 of act. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section three of an act to authorize the drainage of lands and the construction of levees, embankments and roads in Madison county, Illinois, be and the same is hereby so amended as to include all of sections six, seven and eighteen, that lies west of Cahokia and Indiana creeks, in township four north, range eight west third principal meridian, in said county; and the benefits of said act, and all acts amendatory thereof, are hereby made applicable to said territory.

§ 2. This act shall be deemed a public act, and shall take effect from and after its passage.

APPROVED March 7, 1867.

In force Feb'y 18, 1867. AN ACT to authorize Frederick Post to build a dam across Fox river.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Frederick Post, his heirs, executors, administrators and assigns, of the

town of Little Rock, and county of Kendall, are hereby authorized and empowered to build a dam, not to exceed seven feet high, across Fox river, in the north-west quarter of the south-east quarter of section four, (4,) in township thirty-six (36) north, range six (6) east, in the county of Kendall; said dam to be erected and extend from a point on the southeasterly bank of said Fox river, about six chains north of the south line and a little west of the east line of the north-west quarter of the south-east quarter of section four, (4,) aforesaid, in a northwesterly direction, to the northwesterly bank of said Fox river, and where said Frederick Post now owns the land on both banks of said Fox river: *Provided*, that nothing in this act contained shall be held or construed to change, alter or otherwise affect any liability for any damage that may be done to the lands or other property of any person whomsoever by the construction of said dam.

Location of.

Proviso.

§ 2. The said dam shall be built within five years from and after the passage of this act.

Limited time of building.

§ 3. This act shall be in force from and after its passage.

APPROVED February 18, 1867.

AN ACT to construct a mill dam across Fox river, in McHenry county.

In force Feb'y 23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That David S. Smith, Herman Snyder, H. C. Smith and Richard Bishop, their heirs and assigns, be and they are hereby authorized to construct, build and keep in repair a mill dam across Fox river, at the town of McHenry, in McHenry county, eighty rods up or down said river from lots one, (1,) two, (2,) three (3) and four, (4,) of block twenty-seven, (27,) on the west side of Fox river, to lots one, (1,) two, (2,) three (3) and four, (4,) of block No. nine, (9,) on the east side of said river, to the hight of five (5) feet: *Provided*, said dam shall not be constructed so as to prevent the state from improving said river at that place at any time or manner that may be deemed proper.

Authority of corporators.

§ 2. That an act granting authority to John W. Smith, Benjamin B. Brown, Abijah Smith and Charles McClure, their heirs or assigns, to construct and build a mill dam across Fox river, at the above mentioned lots, approved March 3, 1843, be and the same is hereby repealed.

Act app. March 3, 1843, repealed

§ 3. This act to take effect and be in force from and after its passage.

APPROVED February 23, 1867.

In force May 7, 1867. AN ACT to authorize Franklin Blair and Daniel Reed, jr., to build a mill dam across Pecatonica river, in Winnebago county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Franklin Blair and Daniel Reed, jr., are hereby authorized to construct a mill dam across the Pecatonica river, on land or lands belonging to said Franklin Blair and Daniel Reed, jr., in the town of Lysander, Winnebago county.

Authority granted.

Subject to state laws.

§ 2. Said mill dam shall be constructed subject to any laws of this state in relation to the navigation of the Pecatonica river.

APPROVED March 7, 1867.

In force March 9, 1867. AN ACT to incorporate the Marseilles Land and Water Power Company.

Preamble.

WHEREAS, Isaac Underhill, Roderick Clark, Orange W. Young, Warren Aldrick and Daniel Hurd have associated themselves together for the purpose of effecting the business and improvements contemplated by this act, and the same are now partly completed; therefore,

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Isaac Underhill, Roderick Clark, Orange W. Young, Warren Aldrick, Daniel Hurd, their associates, successors and assigns, be and they are hereby created and constituted a body politic and corporate, by the name of "The Marseilles Land and Water Power Company;" and, by that name, the said corporation may make contracts, sue and be sued, plead and be impleaded, in all courts of law or equity; and shall have perpetual succession; and have and use a common seal, and alter the same at pleasure.

Name.

Officers.

§ 2. The officers of said corporation shall be a president, secretary, treasurer and five directors. Said company may organize by electing the aforesaid officers, at such time and place and in such manner as said corporators may agree upon; and until such officers are chosen and qualified, the business and affairs of said corporation shall be done and managed by said corporators, who shall keep a full account and record thereof.

Capital stock.

§ 3. The capital stock of said company shall be five hundred thousand dollars, and shall be divided into shares of one hundred dollars each, and each share shall entitle the holder thereof to one vote at stockholders' meetings.

Business powers.

§ 4. The said corporation is hereby authorized and empowered to construct and maintain a dam, as high as neces-

sary to obtain a good and sufficient water-power, not exceeding eight feet high above usual low-water mark, across the Illinois river, within the limits of the present limits of town of Marseilles, in the county of La Salle, state of Illinois, and to construct and maintain said dam across said river, together with all necessary race-ways or courses; and, in the construction of the same, may cross any tract, alley, lane or highway in said town, first obtaining consent of the corporate authorities for such purpose; and may construct such races or courses across any private lands, as hereinafter provided: *Provided*, that this act shall not be so held or construed as to prevent the state from taking possession of said dam, or removing it, at any time, for improving said Illinois river for purposes of navigation, and without any compensation therefor in case of its removal; but said company shall be paid a reasonable compensation therefor, in case said dam is so constructed that it can be used in improving said river; and when so taken, said company shall cease to have any right or authority to construct any other dam or dams.

§ 5. Title to land for right of way for said races or canals, not to exceed one hundred feet wide, over private property, and to land overflowed by such dam, may be acquired by gift, grant or purchase, or in the manner provided by chapter LXXI of the Revised Statutes, entitled "Mills and Millers," and an act amendatory thereof, approved February 26, A. D. 1847, or by chapter ninety-two of the Revised Statutes, or the act amendatory thereof, in force June 22, A. D. 1852, entitled "An act to amend the law condemning right of way for purposes of internal improvement."

Title to land for
right of way.

§ 6. The board of directors shall have the entire management, direction and control of all the property, business, interests and affairs of said company, and may make all such by-laws relative thereto as they may deem proper, not inconsistent with the laws of this state; may appoint all necessary officers and agents whose election or appointment is not otherwise provided for; and shall have power to make such assessments as they may find necessary equally upon the shares of said capital stock, and collect the same by an action in debt, in any court having jurisdiction; and if such lawful assessment shall not be paid upon any stock, to declare such stock forfeited, and to dispose of such forfeited stock in such manner as the by-laws shall provide. A majority of said directors shall constitute a quorum, but any two may call a stockholders' meeting, in such manner as shall be provided by the by-laws. And said directors shall appoint a stockholders' meeting at least once in each year, at such time and place as they may agree upon, and give notice thereof by publication in some public newspaper published in said La Salle county.

Management of
business, etc.

Business and
transactions.

§ 7. The said company shall have power to lease and sell lands and town lots and water-power, and to lay out and plat any town or towns or additions thereto, upon any of its lands, and may loan or borrow money at any rate of interest not exceeding ten per cent., and secure its indebtedness by notes or bonds and mortgages or trust deeds upon any or all of its real or personal property or franchises, and may transact any lawful business, in trading, building, transportation or manufacturing.

§ 8. This act is hereby declared a public law, and shall be in force from and after its passage.

APPROVED March 9, 1867.

In force Feb'y 23, 1867. AN ACT to authorize the county court of Montgomery county to increase the county revenue.

Levying and as-
sessing taxes...

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county court of Montgomery county be and is hereby authorized to levy and assess a tax upon all the property, personal and real, in said county, not exceeding eight (8) mills on one dollar, per annum, for county purposes, in the place of the four (4) mills on the dollar now allowed to be levied by law; which said tax shall be levied, assessed and collected at the same time, in the same manner and under the same limitations and restrictions as the county taxes are now levied, assessed and collected; and the laws now in force for the collection of state and county taxes shall be in force and applicable to the collection of the taxes provided for by this act.

§ 2. This act is declared to be a public act, and shall take effect and be in force from and after its passage, until the first day of July, A. D. 1869.

APPROVED February 25, 1867.

In force Feb'y 21, 1867.

AN ACT to restore Joseph G. Webb to citizenship.

Name.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Joseph G. Webb, of Union county, Illinois, be and he is hereby restored to all the rights, privileges and franchises to which he became ineligible by reason of a sentence by the United States district court for the southern district of Illinois.

§ 2. This act shall be deemed a public act, and be in force from and after its passage

APPROVED February 21, 1867.

AN ACT to restore Hamilton Nation to the rights of citizenship.

In force Feb'y
27, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Hamilton Nation, of the county of Menard, who was convicted of the crime of larceny, be and is hereby restored to all the rights and privileges of other citizens of the state of Illinois.

Restored to
rights of other
citizens.

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

APPROVED February 27, 1867.

AN ACT to restore William B. Mecham to citizenship.

In force Feb'y
28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William B. Mecham, who was convicted of the crime of larceny in and by the circuit court in and for the county of Knox, in the state of Illinois, be and is hereby restored to all the rights and privileges of a citizen of the state of Illinois as fully and amply as if no such conviction had ever taken place.

Restored to
citizenship.

§ 2. This act to take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to restore certain persons to citizenship.

In force Feb'y
28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas Kelley, who was convicted of the crime of larceny, at the June term of the Hancock circuit court, in the state of Illinois, in the year 1853, and Adam S. Carpir, who was convicted of larceny, in the said court, at the March term thereof, A. D., 1859, be and they are hereby restored to citizenship as fully as if they had never been convicted.

Names of per-
sons.

§ 2. This act shall be a public act, and take effect and be in force from and after its passage.

APPROVED February 28, 1867.

In force March
5, 1867.

AN ACT to restore William Kile to citizenship.

Preamble.

WHEREAS, on the third day of May, 1859, William Kile, a resident of the county of Mercer, and state of Illinois, was convicted of the crime of larceny, in the circuit court of said county, and sentenced to the penitentiary of the state of Illinois for the term of four years; and, whereas the said William Kile was, upon proper representations, pardoned by the then governor, his excellency, Richard Yates, and returned to his home in said Mercer county, and has conducted himself as an honest and law abiding citizen; and, whereas, the said William Kile did, on the 29th day of December, A. D., 1862, enlist as a private soldier in the 37th regiment of Iowa volunteer infantry, and served faithfully as such soldier, fighting the battles of our country, until the 25th day of May, A. D. 1865, when he was honorably discharged; therefore,

Restored to
citizenship.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Kile be and he hereby is restored to all the rights and privileges of a citizen of the state of Illinois, the same as if he had never been convicted of any such crime.

§ 2. This act shall be a public act, and take effect from and after its passage.

APPROVED March 5, 1867.

In force March
7, 1867.

AN ACT to return certain persons therein named to citizenship.

Preamble.

WHEREAS George M. Filson, Emanuel Dyre and Henry Hinds, were convicted of manslaughter, at a special term of the Macon county circuit court, for the year A. D. 1865, thereby depriving them of the rights of citizenship; and the said George M. Filson, Emanuel Dyre and Henry Hinds having conducted themselves as worthy and honorable citizens ever since said conviction; therefore,

Names of per-
sons restored.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George M. Filson, Emanuel Dyre and Henry Hinds, of Clay county, state of Illinois, be and they are hereby restored to all the rights of citizenship as fully as if said conviction had never taken place.

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

APPROVED March 7, 1867.

AN ACT to restore Frederick Scott to citizenship.

In force March
7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Frederick Scott, of the city of Chicago, in the county of Cook, and state of Illinois, be and he is hereby restored to all the rights, privileges and franchises to which he became ineligible by reason of a sentence of the recorder's court of the city of Chicago, in the county and state aforesaid. Restored.
Reason of.

§ 2. This act shall be deemed a public act, and be in force from and after its passage.

APPROVED March 7, 1867.

AN ACT for the relief of John D. Walters.

In force March
8, 1867.

WHEREAS, at the April term, 1861, of the circuit court of Wayne county, Illinois, John D. Walters was convicted of the crime of larceny, which has deprived him of the right of citizenship; therefore, Preamble.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said John D. Walters is hereby restored to the full rights and privileges of citizenship. Restored.

§ 2. That this act be in force from and after its passage.

APPROVED March 8, 1867.

AN ACT to establish a state road from Fairfield, in the county of Wayne to Clay City, in the county of Clay. In force Feb'y
9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John P. McCall, Henry Holtzhausen and J. C. Patterson, of the county of Wayne and D. L. McCawley and J. K. Bothwell, of the county of Clay, or any three of them, be and they are hereby appointed commissioners to lay out and establish a state road, from the town of Fairfield, in Wayne county, to the town of Clay City, in Clay county, in this state. Commissioners

§ 2. Said road shall be located by said commissioners as soon as practicable after the passage of this act, and on the nearest and most practical route between said above named towns; and plats of the same shall be returned by said commissioners and filed by the county clerks of the respective counties herein named; and, when so located and Location—plats

Public road. the plats filed with the county clerks, aforesaid, the same shall forever be and remain a public road, and shall be so worked and kept in repair by the proper road officer through whose road district the same may pass.

Surveyors. § 3. Said commissioners shall have power to employ such surveyors and other assistants as they may deem necessary, to assist them in the discharge of their duties herein named; and said commissioners and persons necessarily assisting them shall be allowed for the aforesaid services the sum of four dollars per day for each day necessarily employed therein, to be paid for out of the respective county treasuries of said county, each county paying in proportion to the number of miles of said road in their respective counties.

Repairs. § 4. It shall be the duty of the respective county courts, (or boards of supervisors, where such counties are under township organization), through which the aforesaid road or any part thereof may run, at all times to keep the same in good order and repair, keeping suitable and substantial bridges across all streams on said road, so as to render the same safe and convenient for travel thereon.

Road commissioners
Duties *f. § 5. After said road shall be surveyed and opened, in accordance with the provisions of this act, it shall be the duty of the board of supervisors of each county through which the same may pass, to appoint a road commissioner, whose duty it shall be to keep in repair all bridges across any stream over which said road may run; and shall present to the next term of the county court or board of supervisors of the county of which he may be appointed the expense or outlay to which he may have been put in having said bridge or bridges built or repaired, and it shall be the duty of said board of supervisors or county court to audit and pay the same, together with a reasonable compensation to said road commissioner.

Construction of bridges. § 6. Said commissioner shall not be allowed to contract for the construction of any bridge on said road, the cost of which shall exceed fifty dollars, without first giving specifications and dimensions of the same, and letting the same to the lowest responsible bidder, after giving public notice of the same for at least ten days.

This act shall be taken and deemed a public act, and shall be in force from and after its passage.

APPROVED February 9, 1867.

AN ACT to re-locate a part of a state road therein named.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That David B. Green, Louis Horry and Hiram Bowan, of Cumberland county, Illinois, be and they are hereby appointed commissioners to review and relocate so much of the state road leading from Shelbyville, in Shelby county, *via* Neoga and Prairie City, in Cumberland county, to the National Road, as lies now between the point where said road strikes the road leading from Greenup, in said county, to Charleston, in Coles county, and the National Road at Greenup. Commissioners. Roads defined.

§ 2. Said commissioners or any two of them, shall at any time after the passage of this act, proceed to review, relocate and establish said road, so that the same shall run due east on the section line from the said town of Prairie City until it strikes the National Road, due east of Prairie City, or as near so as suitable track can be obtained, and cause a plat of the same to be made and recorded in the records of the board of supervisors of said county of Cumberland. After which, said road, so located, shall be deemed and taken as a public highway, the same as other state roads. And the commissioners of highways of the townships through which such road shall be located shall take steps to open it and cut out as soon as in their power, and upon willful failure or neglect so to do, shall be severally and individually liable to any person injured for all damages occasioned by such neglect, besides all penalties now in force for such neglect. Course of roads. Plat required.

§ 3. This act shall be deemed a public act, and shall take effect and be in force from and after its passage. Duties of commissioners

APPROVED February 23, 1867.

AN ACT to establish a state road from Mattoon on westward.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Ebenezer Noyes, of Coles county, Alvin Wagoner, of Moultrie county, and John Rose, of Shelby county, be and they are hereby appointed commissioners to lay out and establish a state road from Mattoon west, on the half mile line of sections fifteen, sixteen, seventeen, eighteen, thirteen and fourteen, and on west on said line across Moultrie county and Shelby, until it strikes the road from Sullivan to Shelbyville, on the west side of the Okaw river; and that said commissioners be authorized to vary from said line to straighten the road, Appointment of commissioners Location of road.

when said half mile lines miss-match at township lines, and at the river, for the sake of a better crossing.

Oath of office. § 2. Said commissioners, or a majority of them, shall, on the first Monday of March, or within twenty days thereafter, meet at Mattoon, and after being duly sworn by some officer authorized to administer such oath, shall proceed to discharge the duties required of them by this act.

Survey. § 3. Said commissioners, in discharge of their said duties, shall procure the services of a competent surveyor, chain carriers, and other necessary assistants, and shall lay out, view and locate said road.

Plat required. § 4. Said commissioners shall, within a reasonable time after they shall have laid out, viewed and located said road, cause a correct plat thereof to be made by said surveyor, and shall file such plat, together with a copy of the field notes of such survey, in the office of the county clerks of Coles, Moultrie and Shelby counties; and said county clerks shall record said plat and field notes in the book of record of proceedings of the county boards of their respective counties.

Dimensions. § 5. Upon the filing of such plat and field notes in the offices of said county clerks, as by this act required, said road shall be and is hereby declared to be a state road and public highway (66) sixty-six feet in width; and shall be opened, worked and repaired as such. And said commissioners are hereby empowered to proceed to open said road.

Compensation. § 6. Said commissioner shall be entitled to a compensation of one dollar and fifty cents, said surveyor three dollars, the chain carriers and other assistants one dollar and fifty cents, each, for each day employed in the discharge of the duties by this act required, to be paid out of the treasuries of Coles, Moultrie and Shelby, in proportion to the distances that said road passes through said counties respectively.

Assessment of damages. § 7. Said commissioners are hereby authorized to view, survey, lay out and open said road through any and all lands necessary to carry out the meaning and intent of this act, and also to assess the damages, if any, taking into consideration the benefits as well as the damages that may arise from laying out and opening said road; and their certificate of the amount of damage so sustained shall be sufficient evidence for the board of supervisors to authorize the county treasurer to pay such indebtedness.

§ 8. This act shall take effect and be in force from and after its passage.

APPROVED February 23, 1867.

AN ACT to establish a state road therein named.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel J. R. Wilson and Daniel Haynes, of Wayne county, and Jesse H. Emerson, of Edwards county, be and they are hereby appointed commissioners to lay out and establish a state road from the town of Fairfield, in Wayne county, to the town of Albion, in Edwards county.

Names of
commissioners

§ 2. Said road shall be located on a direct line between the above named points, or as near the same as said commissioners may deem practicable and eligible. Said commissioners shall, as soon as said road may be located, make a report and plat of said road and deliver a copy thereof to the clerk of the county court of each county through which the said road may run, which shall be filed by the clerks of said counties in their respective offices.

Location.

§ 3. Said road, when so laid out, shall be and the same is hereby declared a state road, and shall be opened and kept in repair as other state roads. The county courts of said counties shall allow said commissioners three dollars per day for the time necessarily employed in locating said road, which shall be paid by said counties in proportion to the number of miles of road in each county.

Declared a state
road.

Compensation.

§ 4. This act to take effect and be in force from and after its passage.

APPROVED February 23, 1867.

AN ACT to locate a state road from Chebanse, in Iroquois county, to Odell, in Livingston county.

In force Feb'y
25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George Burrill, of the county of Iroquois; Lemuel Milk and George Fanning, of the county of Kankakee, be and they are hereby appointed commissioners to lay out and establish a state road, which shall commence at Chebanse, where the county line between Kankakee and Iroquois counties intersects the Illinois Central Railroad; thence west on the county line to the nearest section corner; thence west in a straight line from section corner to section corner to the west boundary line of Iroquois county.

Commissioners

§ 2. Said commissioners, or a majority of them, shall meet in the town of Chebanse, on or before the first Monday of April, A. D. 1867, or as soon thereafter as practicable, and, after taking an oath, before some person authorized to

Duties of
commissioners

administer the same, faithfully to perform and discharge the duties required of them by this act, shall take to their assistance a competent surveyor and proceed to lay out said road, placing stakes in the ground or plowing a furrow in the center of said road.

Additional commissioners and duties.

§ 3. That John Rodgers, of the county of Ford, and the said Lemuel Milk and George Fanning, shall be and are hereby appointed commissioners for the same purpose, and in the same way, to lay out and establish so much of said road as will lie between Ford and Kankakee counties, and in the like manner as is provided in section two of this act, said commissioners meeting at some convenient point for that purpose, on or before the first day of May, A. D. 1867.

Boundary lines

§ 4. That S. S. Morgan, Ewing Houchin and John Hassack, of the county of Livingston, are, in like manner, in conjunction with the surveyor of said county, hereby appointed commissioners to lay out and establish so much of said road as shall lie in said county of Livingston, west of the boundary line of said Ford and Kankakee counties, beginning at the west end of the boundary line between the two last named counties; thence running west from section corner to section corner, to the Chicago and St. Louis railroad, forming a continuous road between the Chicago Branch of the Illinois Central Railroad and the said Chicago and St. Louis Railroad, and reaching the latter at or near Odell, in Livingston county, and the former at Chebanse, in Iroquois county, and for that purpose said commissioners shall meet at Odell, and make the preliminary affidavits on the first day of April, A. D. 1867, or as soon thereafter as convenient, and shall proceed, in other respects, as provided in section two of this act.

Reports and plats.

§ 5. Said commissioners shall, as soon as the said road is located, make and file a report and plat of said road, showing the course and distance from point to point; which plat and report, when so made, shall be certified by said commissioners, and a copy thereof filed in the office of the clerks of the counties of Iroquois, Kankakee, Ford and Livingston, respectively, and shall, also, make out and present to the board of supervisors of each county, respectively, certified copies of the time and number of hands necessarily employed in each county and their reasonable compensation therefor, including the sum of three dollars a day for each commissioner; and, thereupon, it shall be the duty of said board of supervisors, respectively, to audit the same, and order the same paid by the treasurers of the respective counties proportionably.

Location.

§ 6. Said road, when so located, shall be and the same is hereby declared a state road, and shall be opened four rods wide, and shall be constructed and kept in repair as other state roads: *Provided, nevertheless*, that it shall be lawful for the owners of lands adjacent to said road to set

and grow hedges for fencing purposes six feet in said road on either side thereof.

§ 7. This act to take effect and be in force from and after its passage.

APPROVED February 25, 1867.

AN ACT to establish a state road from Fairfield, in Wayne county, to Noble, in Richland county. In force Feb'y 25, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James McLin, William Holmes, John Forrester and the county surveyor of Wayne county, and Henry Parner and the county surveyor of Richland county, be and they are hereby appointed commissioners to lay out, locate and establish a state road from Fairfield, in Wayne county, by the way of Mt. Erie, in Wayne county, to the town of Noble, in Richland county, Illinois. Commissioners Purpose.

§ 2. Said road shall be located by said commissioners on the nearest and most eligible line between said points, having due regard to farms now in cultivation; and for the purpose of locating said road, any four of said commissioners shall constitute a quorum for any purpose embraced in this act. And, before entering upon the discharge of their duty, shall take an oath before some officer authorized to administer oaths, faithfully to discharge their duties as such commissioners; and as soon as said commissioners shall have located and established said road, they shall make a plat of the same, and deliver a copy of the same to the county clerk of Wayne and Richland counties; which shall be filed by the clerks of said counties in their respective offices. Location. Oath of office. Plat required.

§ 3. As soon as said road shall be laid out and established, the same shall forever be and remain a public road; and the counties through which the same shall run shall have no power to alter or change the same; but it shall be the duties of the county courts of said counties (or board of supervisors, where said counties are under township organization,) to make immediate provisions for bridging all streams over which said road may run, necessary to make said road passable at all times of the year, and to build all causeways, so as to render said road at all times safe and convenient to travel. And all road officers, in either of said townships through which said road may run, shall work said roads as other public roads are now worked. To be a public road. Bridges, etc.

§ 4. It shall be the duty of the county court of Wayne county, or board of supervisors, as soon as said road shall be located, to appoint a road commissioner, and to fill any vacancy wherever the same may occur, whose duty it shall Repairs:

Expenses.

be to keep all bridges and causeways on said road in good repair; and shall present this bill, from time to [time, to] the county court of Wayne county or board of supervisors; and it shall be the duty of the county court of said Wayne county, or board of supervisors, to pass orders for paying all reasonable and just expense for building and repairing said bridges and causeways on said road.

Compensation.

§ 5. The commissioners herein named shall be allowed four dollars (\$4) per day for each day they shall be necessarily employed in surveying and laying out said road, which shall be paid by the respective counties of Wayne and Richland, in proportion to the number of miles of road in each county.

§ 6. This act shall be deemed and taken as a public act, and be in force from and after its passage.

APPROVED February 25, 1867.

In force Feb'y 23, 1867. AN ACT to locate a state road from Mendota, in La Salle county, to Arlington, in Bureau county.

Commissioners

Location of roads, etc.

Duties of commissioners

Surveyor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William W. Gilman, David Nichols and James Winters, be and they are hereby appointed commissioners to view and locate a state road, of four rods in width, commencing at the south end of Thirteenth avenue, in the town of Mendota, in the county of La Salle, in this state, or as near such point as practicable, and from thence, crossing to the south side of the Chicago, Burlington and Quincy Railroad, at the same place of the present traveled crossing, and running from thence on the south side or line of said railroad, to the town plat or village of Arlington, in the county of Bureau—said commissioners to have the right to diverge from the south line of said railroad, wherever they may deem necessary, to avoid expensive diking or bridging, and, also, if necessary, in order to strike and intersect a convenient and eligible street, in said village of Arlington.

§ 2. The said commissioners, or a majority of them, shall meet at the town of Mendota as soon and at such time after this act shall come in force as they may deem proper, for the performance of the duties herein assigned them; and after being duly sworn by some officer authorized by the laws of this state to administer oaths, to fairly and impartially do and perform the duties assigned them by this act, the said commissioners, or a majority of them, shall have power to proceed and fully carry out the intention of this act, and may employ a surveyor and such chainmen

and axe-men as they may deem necessary for the location of said road, who shall perform the duties required of them by said commissioners, and shall receive such compensation or per diem allowance as said commissioners shall certify they are entitled to.

Duties and compensation.

§ 3. Said surveyor shall make out two correct and complete plats of said road, showing the points where the same crosses township lines, and the name or number and range of such townships as said road may cross, with proper field notes, giving courses and distances in each township crossed by said road.

Points and lines of road.

§ 4. Should any damages be claimed by any person or persons, in consequence of said road crossing his, her or their land, or if said road shall cross any tract of land on which no person resides, and no person or persons coming forward and showing his, her or their right to represent the same, then in any such case the said commissioners are empowered, and it is made their duty, to assess such damages, allowing to each such owner of land a just and fair compensation for the land to be occupied by said road—taking into consideration as well the benefits and advantages as the injury and disadvantage of said road crossing such land.

Personal damages.

§ 5. Said commissioners acting shall make two full and complete reports of all of their proceedings under this act, to each of which they shall attach one of the plats and survey of said road provided for in this act. Said reports shall be alike, and shall contain a statement of the damages as allowed in each of the townships through which said road passes, together with a statement, showing the expenses of laying out said road and the proportion for each township to pay, according to length of road in each township, and the time occupied as to said commissioners acting may seem just and equitable; one of which reports shall be filed by said commissioners with the clerk of the county court in each of the counties of La Salle and Bureau; and it shall be the duty of each of said clerks to file and safely keep said reports in his office, and also to record the same in full in the record book in each of their respective counties in which the proceedings of the board of supervisors are recorded.

Reports of proceedings.

§ 6. Said road shall be a public highway, from and after the time of filing the report by the commissioners, as in this act provided; and said report, or the record thereof, or a copy of such report or record, duly certified to be such by the said respective clerks, shall be evidence of the matters therein contained and of the location of said road in all courts in this state; and the filing of such report, as herein provided, shall be taken to be due notice of the laying out of said road to all persons and owners of land in each of said counties, respectively, over which the

Report to be evidence, etc.

- Penalties, etc. same shall pass; and any owner or other person having the control of any land over which said road shall pass who shall refuse or neglect to remove all fences on their land, respectively, which obstruct the free and complete use of said road, within sixty days from such filing, shall be liable to be proceeded against as for obstructing highways, by the laws of this state, as well as for continuing such obstructions.
- Compensation. § 7. Said commissioners shall receive, as a compensation for their services, five dollars per day for the time they may be employed in the laying out of said road, assessing damages, making their report, and such other work about the same as may be necessary. They shall specify in their report the amount of their compensation, and shall attach thereto an affidavit, in which they shall severally swear that the time employed by them, respectively, was necessary for the due performance of their duties under this act. Said commissioners shall be authorized to employ some competent person to draw up their report, and they may allow such person a reasonable compensation, to be paid for as the other expenses for said road.
- Apportionment. § 8. The board of supervisors in their respective counties shall cause the amount apportioned to each township by said commissioners to be apportioned upon the taxable property and entered upon the tax books of the respective towns, to be collected as other town taxes, and to be paid by the several collectors to the several supervisors of the several towns, to be by them paid to the persons entitled thereto, as shown by said report and certified by the clerk of the county court of the respective counties.
- Object of this act. § 9. It is the object and intent of this act to give full and complete powers to said commissioners to locate and establish said road, and that each town through which said road shall pass shall pay its proportion of the expenses of laying out the same to such of the commissioners and other persons by them employed, in the proportion for each town as such report shall determine, and that each of said towns shall pay all of the damages assessed therein, respectively. The clerks of the county courts to be paid for their services, to be rendered under this act, by their respective boards of supervisors.
- Road to be kept open, etc. § 10. After said road shall become a public highway, under the provisions of this act, the same shall be kept open and worked as other roads in the respective towns.
- § 11. This act to take effect as a public act, and be in force from and after its passage.

APPROVED February 23, 1867.

AN ACT to authorize the board of supervisors of Knox county to fix the rates of commutation of road labor, and to determine what shall be a lawful fence in said county. In force Feb'y 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* The board of supervisors of the county of Knox, at any regular meeting, shall have power and is hereby made their duty to fix and determine the rates of commutation of road labor within said county; also, to determine what shall be a lawful fence within the limits of said county. Rates of commutation.

§ 2. All laws conflicting with the provisions of this act shall be deemed inoperative, as far as relates to the said county of Knox. Conflicting law inoperative.

§ 3. This act shall take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the trustees of the Lake street and County Line Road. In force March 8, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the persons who shall hereafter become stockholders and the trustees appointed, as herein provided, are hereby made and constituted a body corporate and politic, by the name and style of "The Trustees of the Lake Street and County Line Road;" and, as such corporation, may sue and be sued, contract and be contracted with; may make and use a common seal, and alter the same at pleasure. They may make by-laws for the government of their affairs, officers and agents; and have and enjoy all the rights and immunities and be subject to all the liabilities of a body corporate and politic, for the purposes herein expressed. Name and style Powers.

§ 2. W. S. Smith, Seth P. Warner, C. N. Holden, Joseph Kettlestring, James W. Scoville, John S. Quick, C. G. Pusheek, M. C. Niles, D. C. Thatcher, S. D. Towle, M. C. Covill, H. W. Austin, and Irving Porter, are hereby appointed commissioners to open books for subscriptions to the capital stock of said company; and as soon as may be convenient after the passage of this act, they, or a majority of them, shall meet and proceed to determine the form of the subscription, and shall, thereupon, designate the places where subscription books may be found. As soon as subscriptions to the amount of at least twelve thousand dollars shall have been received, the commissioners shall convene a meeting of the subscribers at such time and place as shall Stock subscription. Meetings of subscribers.

Notice of. be designated by them, in a notice, to be published in at least two daily papers published in the city of Chicago, (one of which shall be a German paper,) at least one week prior to the time of such meeting. Each share of stock shall entitle the holder thereof to one vote in the election of trustees. And the first election shall be conducted according to rules established by the said commissioners at at such meeting. And on the first Monday in January in each year, thereafter, there shall be elected five trustees, who shall be stockholders, and shall hold their office until their successors are elected and qualified; but a failure to elect trustees, as herein provided, shall not work a forfeiture of the franchises herein granted.

Management of affairs. § 3. The business and affairs of said corporation shall be conducted by the trustees, and they shall elect from their number a president, secretary and treasurer, to whom they may delegate such of their powers as they shall deem proper; and they may appoint other officers and agents and prescribe their duties, and may require bonds, with or without securities, from their officers, agents or employees, with such conditions as they shall require. And the said trustees may fill vacancies and remove any of their number who shall be guilty of malfeasance in office or who shall have been convicted of crime. The treasurer shall keep a correct account of all moneys received and paid out by him; and he shall pay out no money, except by order of the trustees, and then only upon a warrant drawn by the secretary and countersigned by the president. The said trustees may make by-laws and establish rules for their government; and they shall, at each annual meeting of the stockholders, make a report of their proceedings, including a statement of the finances, and cause the same to be printed for distribution along the line of the road of said corporation.

Capital stock. § 4. The capital stock shall be twenty-five thousand dollars, and shall be divided into shares of fifty dollars each, to be deemed personal property, and transferable as such on the books of the company, subject to such rules as shall be established by the trustees; and a proper registry of all certificates issued shall be preserved by the directors. The trustees may declare forfeited any share or shares of stock upon which there shall remain due and unpaid for sixty days any installments thereon. The amount received by the trustees upon the capital stock shall be expended in the construction and improvement of the road hereinafter provided for, including the erection of necessary toll houses.

Possession of roads, etc. § 5. It shall be lawful for the said trustees to take possession of and occupy the road or highway in the towns of Cicero and Proviso, in Cook county, Illinois, commonly known as the extension of Lake street, and to macadamize, gravel, clay, grade or otherwise improve the same, of such

Improvem't of

width as they shall determine, including necessary bridges, culverts and ditches, for a good substantial carriage or wagon road or drive, from the westerly limits of the city of Chicago to the intersection of the said road with the roads known as the St. Charles and Elgin roads, west of the Des Plaines river in said county of Cook; and to take possession and occupy any public bridge on the said road; and may maintain upon the said road, one or more toll gates, the location of which they may change, from time to time; and may charge and collect such rates of toll as they shall determine for all vehicles or animals driven or passing along the said road, or any portion thereof: *Provided, however,* that no toll shall be taken or charged until the sum of at least ten thousand dollars shall have been expended upon the said road, between said westerly limits of Chicago and said intersection. Whenever said trustees shall file with the clerk of the county court of Cook county a statement, in writing, by their president, verified by the affidavit of one of the trustees or agents of said road, showing that such expenditure has, in good faith, been made, the said clerk shall thereupon issue his certificate of that fact, under the seal of his court, which shall be deemed and taken in all courts and places as evidence of the expenditure aforesaid.

Purposes.

Possession of bridges.

Toll gates.

Rates of.

Proviso.

Statement of expenditures.

Certificates—evidence of.

§ 6. After said corporation shall have expended the sum of twenty-five thousand dollars in constructing and improving said road, from the westerly limits of Chicago to the intersection aforesaid, it shall be lawful for the stockholders, by a vote for that purpose, to authorize the trustees, from time, to increase the capital stock to an amount not exceeding, in the aggregate, the sum of fifty thousand dollars; which increased capital stock shall be used in macadamizing, graveling, or otherwise improving the extension of said road from the intersection aforesaid, westerly, over, along and upon such public road as the trustees shall determine, to the westerly limits of the county of Cook; and may construct a branch road from such intersection to the said county line, over any public road; which branch shall, in all respects, be subject to the same provisions as are herein contained with reference to the main road of said company; or the stockholders may authorize said trustees to further improve the said road east of the said intersection of said Elgin and St. Charles road, with a portion of said increased capital stock.

Increase of stock.

Amount of—how used.

Branch road.

§ 7. It shall be lawful for the said corporation to purchase and hold so much real and personal property as shall be necessary for the procurement of materials for the construction and operation of said road, and may sell and dispose of the same, when the interest of the company may require.

Possession of property, real and personal.

Use of moneys
received upon
capital stock.

§ 8. The said trustees shall employ all the money received upon the capital stock in constructing and improving the road and in the erection of necessary toll houses and bridges. All moneys received from toll shall, after paying the necessary expenses of collection and needful repairs upon the road, be applied as follows:

Dividends.

First.—In paying to the stockholders a dividend, at the rate of ten per cent. per annum, upon the actual amount of money paid in upon the capital stock by them respectively.

Refunding
balance.

Second.—In refunding the balance to the stockholders, according to their several interests, until the whole amount paid in by them on the capital stock shall have been refunded; and thereupon the certificates of stock shall be returned to the trustees, and shall be canceled: *Provided*, that none of the tolls shall be applied in refunding the amount paid on stock until the stockholders shall have received their dividend, as aforesaid. The certificates of stock shall contain, in substance, the provisions of this section, and they shall be notice to all parties holding the same of the facts therein stated.

Proviso.

Trustees—
reports of.

§ 9. When the whole amount of the capital stock shall have been refunded, as provided in the foregoing section, the trustees shall make report of that fact, together with their other proceedings during the current year, verified by the oath of their president and attested by the seal of their corporation, to the judge of the seventh judicial circuit; and the said judge shall thereupon, and annually thereafter, appoint five trustees, who shall hold their office until the first Monday in January next after such appointment, and until their successors are chosen and qualified. The said corporation shall continue in being and the trustees so appointed shall exercise the powers and be subject to the provisions in this act contained, except as the same are modified by the next section hereof, and shall receive the sum of three dollars per day, each, while actually engaged in the business of their office.

Verification of.

Appointment of
trustees.

Term of office.

Compensation.

Duties of
trustees.

§ 10. The trustees so appointed by said judge shall not be authorized to receive money on stock nor issue any certificates therefor; but they shall apply all moneys received from tolls in paying the necessary expenses of the collection of the same, and in keeping said road in good repair; and the tolls shall be fixed by them, as near as may be, so that no more money shall be received therefrom than shall be necessary to comply with the provisions of this section. The trustees so appointed may make said road free to the public during a portion of the year, if, in their judgment, the tolls received during the balance of the year will be sufficient to keep the same in good repair. They shall make report of their proceedings, annually, to the said judge of said court; and they shall not be interested in any contract made with reference to said road.

§ 11. Any person who shall break through, tear down or destroy any gate, gate house or other erection of said company, or who shall run through or pass by or around the same, for the purpose of avoiding the payment of the toll, or shall open or construct any turnpike or passage around such gate, where vehicles or animals may pass, for the purpose of avoiding the payment of toll on said road, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before and justice of the peace in Cook county, be punished by a fine of not less than ten nor more than one hundred dollars. Said corporation may also, have and maintain an action against any such person in any court of competent jurisdiction, to recover a penalty of twenty-five dollars for each and every violation of the provisions of this section; or the said company may have and maintain an action of trespass, to recover against any such person or persons so offending double the amount of the actual damages sustained by reason of such wrongful act.

Penalties for injury and destruction of property, etc.

Recovery of penalties.

§ 12. The said corporation are hereby authorized to restrain and prohibit cattle or other animals from running at large on the said road, and may cause the same so running at large to be arrested and confined in any pound in Cook county, where they shall be held, subject to such regulations as are provided for other animals that may be impounded therein; and said company shall have and maintain an action to recover a penalty of three dollars per head for each animal so running at large, against the owner thereof. No trustee, officer, agent or stockholder of said corporation shall be disqualified from testifying in any cause arising under sections eleven and twelve of this act, by reason of interest in said company.

Animals running at large on road.

Penalties for.

Disqualified witnesses.

§ 13. No road or other public money shall be levied or assessed, to be expended on said road, and no horse railroad company shall be permitted to occupy said road or any portion thereof.

Assessments—horse railroads prohibited, etc

§ 14. This act shall be submitted to a vote of the board of supervisors of the county of Cook, at the next regular meeting of said board; and if a majority of said board shall vote in favor of this act it shall become a law, but not otherwise. The county clerk of said county shall cause to be filed with the secretary of state his certificate of the result of said vote; and the same, or a certified copy thereof, under the hand and official seal of the secretary of state, shall be evidence in all courts and places of the facts therein contained.

Question of corporation.

Certificate of election.

§ 15. This act shall be a public act, and take effect and be in force from and after its passage.

APPROVED March 8, 1867.

In force March 9, 1867. AN ACT to perfect surveys in Mason county and to modify the road law therein.

Preamble. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That,* whereas the marks and corners of the original surveys in several townships in Mason county are lost or mutilated, so as to be a matter of dispute; and whereas the county surveyors in said county have hitherto failed to make surveys in said town permanent, thereby preventing improvements of the lands and endangering the peace and prosperity of said towns, *it is enacted,* that each town may, at its regular annual town meeting, provide for the permanent survey of the in lands said towns, as follows: Notice that the subject is to be voted upon shall be given at least three weeks previously to the day of the said meeting, by posting up notices thereof in four of the most public places in said town, signed by at least ten legal voters of said town. The question shall be voted upon by ballot, by writing upon each ballot "for survey," "against survey" as the voter may desire. And if a majority of the votes cast shall be "for survey" then the survey shall be made, and not otherwise. At the same election three commissioners shall be chosen, also, by ballot, whose duty it shall be to procure some competent surveyor to make the survey, which shall be done within six months after said commissioners shall be chosen; and it shall be the duty of said surveyor to procure the original field notes and proceed to survey the whole township or parts of townships in said town, observing in said survey all corners and lines, where the same can be done, of the original United States survey, establishing the corners in said town, to at least each half quarter section tract, marking said corners by mounds and stones appropriately marked.

Plats. § 2. The said surveyor, when his said survey shall be completed, shall make out a complete plat of the said survey, duly certified and signed, which shall be submitted to the legal voters at the next ensuing annual town meeting, who shall vote on the adoption or rejection of the same, by marking on their ballots "for the adoption of the survey," "against the adoption of the survey." And if a majority

Vote on adoption or rejection. voting at said town meeting shall be for adopting said survey then the said survey shall be taken and considered

Form of ballots. ever after as the true and legal boundaries for all lands in said town; and if a majority voting at said town meeting shall be against adopting said survey, then the survey shall be held for naught. The report of said surveyor, if adopted, as aforesaid, shall be recorded in the office of the circuit clerk of said county, and a certified copy thereof, or the

Reports to be recorded. records of the same, may be read in evidence in all contro-

versies and disputes where the boundary lines established said survey shall be in controversy.

§ 3. *Be it further enacted*, That, hereafter, in said county of Mason, where any road shall be laid out, altered or changed and established on any legally established line, or where such road has been altered, changed or laid out and the assessment of damages not being legally assessed, or, by operation of law, waived by the owners of the land over which it passes, or released, in writing, by said owner, and where one of the owners has a fence of a permanent nature, such as a hedge, and where its removal would prove its destruction or be of manifest injury to its owner, and where there are dwelling houses, barns or other structures that can not be removed without manifest injury to the owner and where the fences or other structures are on or near the line, that is within two rods of the line, and where the owner of the adjoining boundary has no such permanent improvements, or where there is great disparity of value in such improvements, it shall be lawful at the request of said first named owner, for the commissioners of highways of said town to lay the whole road, or so much thereof as shall be necessary to clear said fences or buildings, on the land of the person who has no such fences or improvements: *Provided, always*, the persons asking for such location of said road shall pay all additional damages caused by said road being so laid out, as aforesaid.

Location of
roads, etc.

Proviso.

§ 4. *Be it further enacted*, That in order to defray the expenses of the survey mentioned in the first, second and third sections of this act, it shall be lawful for said town wherein said survey shall be ordered to assess and levy a tax sufficient to defray the expenses of said survey; which tax shall be ordered and collected as other town taxes; which said expenses shall be paid whether the said survey is finally ratified or not.

Taxes to defray
expenses of
surveys.

How collected.

§ 5. *Be it further enacted*, That this act shall be in force from and after its passage, and that the same shall be a public law.

APPROVED March 9, 1867.

AN ACT to incorporate a plank or gravel road from Decatur, Illinois, to Maroa, Illinois, to be named the Macon County Illinois Plank and Gravel Road Company, with power of constructing branches thereto. In force March 9, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That such persons as shall become stockholders agreeably to the provisions of this act, in the corporation hereby created, shall

Term.

Corporate
powers.

be, for the term of fifty years, from and after the passage of this act, and shall continue to be a body corporate and politic; and, by that name, may sue and be sued, plead and be impleaded, answer and be answered, in all courts of law and equity; may have and use a common seal, and alter the same at pleasure; may make rules, regulations and by-laws for the management of their property and regulation of their affairs and transfer of their stock, not inconsistent with the laws and constitution of the United States and the laws and constitution of this state.

Business, etc.

§ 2. Said corporation shall have power to construct, maintain and continue a plank or gravel road, or both, of such width as may be deemed advisable by the directors of said company, from the northern boundary or city limits, as they may now or hereafter be made, and now connecting with Water street, at its northern terminus, in the city of Decatur, in said county of Macon, and state of Illinois, on the present bed and route of the state road leading from said city of Decatur, Illinois, to the town of Maroa, Illinois, in said Macon county, aforesaid, with power of branches to the town of Forsythe, in said county of Macon, and state aforesaid, or to any other point hereafter desired: *Provided*, that no branch shall be made or constructed of greater length than twenty miles.

Capital stock.

§ 3. The capital stock of said company shall be seventy-five thousand dollars, which shall be considered personal property, and be divided into shares of twenty five dollars each: *Provided*, said capital stock may be increased

Proviso.

to an amount, when necessary, sufficient to complete any part or branch of said road hereafter built; and said company is hereby authorized and empowered to borrow any sum of money not exceeding three-fourths of its capital stock at time of said borrowing, at any rate of interest not exceeding ten per cent. per annum, and to execute bonds or other writings, evidencing said indebtedness and binding upon said corporation. Said company shall also have the power to execute a mortgage upon said road and branches and its profits, to ls and property, real and personal, for the further securing the payment of any sum or sums of money which may be thus borrowed; which bonds, writings and mortgages shall be properly executed by the president of said company, under the authority of the board of directors.

Indebtedness.

to an amount, when necessary, sufficient to complete any part or branch of said road hereafter built; and said company is hereby authorized and empowered to borrow any sum of money not exceeding three-fourths of its capital stock at time of said borrowing, at any rate of interest not exceeding ten per cent. per annum, and to execute bonds or other writings, evidencing said indebtedness and binding upon said corporation. Said company shall also have the power to execute a mortgage upon said road and branches and its profits, to ls and property, real and personal, for the further securing the payment of any sum or sums of money which may be thus borrowed; which bonds, writings and mortgages shall be properly executed by the president of said company, under the authority of the board of directors.

Commissioners

§ 4. That Isaac C. Pugh, David Davis, Edward A. Jones, William F. Montgomery, James J. Jones, Charles H. Fuller, J. Y. Bradon, John Crocker, Jasper J. Peddord, Joseph Jones, R. Kent, or a majority of them, shall be commissioners for the receiving of subscriptions to the capital stock of said company; and shall require such a per cent. upon the amount of capital stock to be paid upon issuing of said stock, and in such installments thereafter as the

board of directors may deem necessary for the progress of said building and for the speedy completion of said road and branches : *Provided*, that such amount, so subscribed and paid in by the citizens of the townships through which said road passes or partially crosses, being the townships of Decatur, Hickory and Maroa, now named, or any other townships in interest by any branch hereafter built, shall be expended on the line of said road or branch within said townships, and in such places in said townships, on said line of road, as the board of directors may elect: *Provided*, that subscription to the capital stock, made as hereinbefore provided, by any person or persons residing without the limits of said townships of Decatur, Hickory and Maroa, shall be expended on such part of said road or branch as such person or persons may elect at time of making such subscriptions, which election such person or persons so subscribing shall place opposite his or their name; and it shall be the duty of said directors to cause subscriptions so made and entered to be faithfully expended in such manner agreeably to the election of said subscriber: *Provided*, also, that should the amount of stock subscribed by or elected to be expended in any of said townships exceed the amount required to build such road or branches through the said townships, such excess may be expended by the directors of said company, at any other point on said road connecting with said township so in excess.

Proviso.

Proviso.

§ 5. The affairs of said company shall be managed and controlled by a president, vice president, five directors, a treasurer and a secretary, three of which directors, with the president and secretary, shall form a quorum for the transaction of business; and as soon as the sum of five thousand dollars shall be subscribed to the capital stock of said company, the commissioners named in this act shall call a meeting of the stockholders, at some convenient place in the city of Decatur, for the purpose of electing a board of officers; which board shall consist of one president, one vice-president, five directors, one treasurer and one secretary; which officers shall be *bona fide* stockholders: *Provided*, the secretary may not be required to own stock. Notice of said meeting shall be given at least two weeks previous to the time of holding thereof, in any paper published in said city of Decatur, or otherwise, as may be deemed expedient by said commissioners. The officers hereinbefore named shall hold their offices for one year and until their successors are elected and qualified: *Provided*, any or all of said officers may be removed by the elective power.

Management.

Officers, etc.

Proviso.

Proviso.

§ 6. It shall be the duty of said commissioners, or a majority of them, named in this act, within one year after the same takes effect, to open books at the office of I. C. Pugh, in the city of Decatur, for the township of Decatur;

Place of opening books for subscription.

| | |
|--------------------------------------|---|
| Notice of. | at the house of William F. Montgomery, in the township of Hickory; and at the store of Thaddeus S. Collins, in the township of Maroa; and at any other point or residence on any branch of said road, for the purpose of receiving subscriptions to the capital stock of said company; and notice of the time and place when and where said books will be opened shall be given by said commissioners, by publication in a newspaper published in Macon county, for at least two weeks previous thereto. And takes effect and shall complete the same within five years thereafter, and, as soon as any one mile of said road or branches shall |
| Toll gates. | be completed, may erect the gates thereon and collect tolls allowed by this act; and the said directors are hereby authorized to locate and construct said road or branches on any lands owned by this state, corporation or individuals, on the route of said plank or gravel road or branches, by |
| Location of branches on state lands. | paying to the owner thereof all damages which shall arise or accrue by taking the same; but in case where damages can not be agreed upon between the parties, the same shall |
| Damages therefor. | be estimated, settled and obtained by proceeding under the provisions of an act entitled "An act to amend the laws for condemning the right of way for purposes of internal improvements," approved June 22, 1852. |
| How settled. | § 9. Whenever said company shall represent to the county court of said county that one mile or more of said road or branches shall have been built and completed, with plank or gravel, or either, said court shall appoint three suitable persons, who shall be sworn faithfully to discharge the duties of their appointment, and shall proceed to view said road or branches, and shall report its condition to said court. Said court may hear any evidence touching said question that may be offered; and if said court shall find that one mile or more of said road or branches has been properly completed, as aforesaid, it shall cause an order to that effect to be entered of record; and, thereupon, said |
| Reports, etc. | company may erect a toll-gate on said road or branches, and collect the following rates of toll thereon: For every vehicle drawn by two animals, three cents per mile, and one cent additional for each mile for every animal more than two; for every vehicle drawn by one animal, two cents per mile; for every animal and rider, or led animal, one cent per mile; for every head of neat cattle, one cent per mile; for each head of sheep or swine, one cent per mile. And if any person shall pass a toll-gate forcibly, and without having first paid the toll, as aforesaid, for every such offense he shall forfeit and pay to said company the sum of five dollars. And if any person shall, to avoid the payment of toll, as aforesaid, turn off and pass any toll-gate, and again enter upon said road or branch, such person or persons shall forfeit and pay to said company the sum of five dollars. And if any person shall tear up, injure |
| Orders of county court. | |
| Rates of toll. | |
| Penalties for non-payment. | |
| Penalties for injury, etc. | |

or damage any part of said road or branches, or any thing belonging to said company, such person or persons shall forfeit and pay three times the amount to said company of damage actually done; and no forfeiture shall be a less sum than five dollars. All forfeitures and penalties incurred under this act may be recovered in any court having cognizance thereof, and may be prosecuted in an action of debt before a justice of the peace, if the sum does not exceed one hundred dollars. Recovery of.

§ 10. Said company shall be required to build said road and branches of plank or gravel, in a good substantial manner, and of sufficient width for the easy passing of teams thereon, and to keep and maintain said road and branches in good repair and in suitable condition to accommodate the public travel; and if said company shall fail to keep said road and branches in good repair, as aforesaid, it shall be lawful for any person to sue out of the circuit court of said county a writ of *mandamus* against said company; and if, upon the hearing of said writ, said court shall find that said road or branches is out of repair, and not in a suitable condition to accommodate the public travel, said court shall order said road or branches to be opened to the public free of toll, until said road or branches shall be repaired and placed in good condition; and if said road or branches shall not be so repaired within a reasonable time, to be fixed by said court, the right of said company to collect toll on said road or branches shall cease for the term of one year, and thereafter until so repaired. Manner of building.
Repairs.
Penalties for failure.

§ 11. The shares in said company may be transferred by assignment; and any subscriber to the capital stock of said company shall not be responsible beyond the actual amount of stock subscribed and held by him; and all holders of stock transferred, as aforesaid, shall be held responsible for such stock so held by assignment; and all assignments shall be made upon the books of the company, otherwise void; and such subscriber or assignee shall be held to be the owner, agreeably to the record of assignment on the books of said company, at all times; and said company shall have power to sue for and recover, in any court having jurisdiction of the same, any sum or sums of money or installments thereof, which may be subscribed and due or held by assignment as stock in said company, and due, whenever default shall be made by the person or persons so subscribing, or owning by assignment, in the payment of such stock or installment due thereon. And no property shall be exempt from execution for the collection of such stock, anything in the law to the contrary notwithstanding. Stock shares assignable.
Liabilities of stockholders.

§ 12. Said company shall have all the rights, powers and privileges conferred upon plank road companies under Property exempt from executions.
Powers, privileges, etc.

the general plank road law of this state and the amendments thereto, except as herein otherwise provided.

Use of material. § 13 The circuit court of Macon county may, by an order, entered of record, authorize said company to use for the construction thereon of said plank or gravel road or branches, any of the public roads of said county.

§ 14. This act to be in force from and after its passage.

APPROVED March 9, 1867.

In force March 8, 1867. AN ACT to incorporate the Alton and Edwardsville McAdamized Road Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Wm. Henry S. Baker, Zephaniah B. Job, Seth T. Sawyer, Charles A. Murray, John Adkins, John B. Lathy, John A. Prickett, Frederick T. Krafft, Wes. Williams, John W. Ash, Joel T. Rice and Shadrack B. Gillham, and their successors, are hereby created, shall be, and for the term of fifty years from and after the passage of this act, continue to be, a body corporate and politic, by the name of "The Alton and Edwardsville McAdamized 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, the appointment and number of its officers, and for the transfer of its stock, not being inconsistent with the laws of this state or of the United States and may appoint such subordinate agents, officers and servants as the business of said corporation may require, and allow them a suitable compensation, prescribe their duties, and require bond for the faithful performance thereof, in such penal sums and with such sureties as they may choose, who shall hold offices during the pleasure of a majority of the directors of said corporation.

Business rights and privileges. § 2. The said corporation shall have the right to construct, and, during its continuance, to maintain and continue a McAdamized road, of such width as may be deemed advisable by the directors of said corporation, and upon the usual and best mode of constructing the same, and with such appendages as may be deemed necessary for the convenient use of the same, from the city of Alton to Edwardsville, in the county of Madison, and state of Illinois, commencing at the eastern extension of Third street, at the eastern boundary of said city, thence east on the Milton

road, through sections No. 18 and 17, in township No. 5 north, range No. 9, west, on the state and county road, through the old town of Milton, on Wood river; thence following the county road known as the Sand Ridge road, or as near the same as may be practicable, to Edwardsville, in said county of Madison.

§ 3. The capital stock of said corporation shall be seventy-five thousand dollars, which shall be deemed personal property, and which shall be divided into shares of twenty-five dollars each. Capital stock.

§ 4. The said persons named as incorporators in this bill shall cause books to be opened for the subscription to the capital stock of said corporation in such place or places as they may think proper, in said county aforesaid, and shall give notice, by advertising in some public newspaper printed in said city of Alton, by posting advertisements in such place or places, as they may think proper of the times and places when books will be opened for receiving subscriptions to the capital stock to said corporation; which notice shall be published for ten days previous to the time appointed for the opening of such books. At the time set in said notice one or more of said incorporators shall attend at the place named in such notice in the city of Alton, Upper Alton, and Edwardsville, and receive from all persons who will subscribe thereto subscriptions to the capital stock of said corporation. Said books shall be kept open at one or more places named in said notice until one week previous to the election of directors; and after the election of said directors the said directors shall keep the books open at the office of the company until the whole of the capital stock of said corporation shall be subscribed for, when they shall be closed. Each subscriber, at the time of his subscription, shall pay to the persons named as incorporators ten per centum upon the whole amount of capital stock subscribed for by him, and the residue of such subscription shall be payable, by installments, as the same shall be required by the directors; but said directors shall not require more than four installments to be paid on each share subscribed in any one year, and such installments shall not exceed ten per centum each upon the amount subscribed; and it shall be the duty of the directors of said corporation to publish, in the city of Alton, at least ten days previous to the time when any installment is required to be paid, the amount to be paid on each share, and the time and place or places of payment. Any stockholder who shall fail to pay any such installment upon the share or shares of said stock held by him, agreeably to such requirements of the directors, shall, at the option of said directors, forfeit to the said corporation the stock held by him, and any and all previous payments made to said corporation thereon. Subscription to stock.

§ 5. The affairs of said corporation shall be managed by Payment of.
Management of affairs.

a board of directors, to be annually chosen by the stockholders, from among themselves. The first board of directors to be chosen as soon as may be after ten thousand dollars of the capital stock aforesaid have 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 such purposes the persons named as incorporators shall attend, or a majority of them, and act as inspectors of said election; and the stockholders shall proceed to elect their directors, by ballot; and the incorporators present shall certify the result of said election under their hands, which certificate shall be recorded in the books of said corporation, and shall be sufficient evidence of the election of the directors therein named. All subsequent elections shall be held at the time and in the manner prescribed by the by-laws and regulations of the said corporation. Each stockholder shall be allowed as many votes as he owns shares of stock 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 that may 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 until their successors are elected, and shall elect one of their number president of said board.

Delivery of
funds.

§ 6. Immediately after the election of directors and the organization of said board the persons hereinbefore named as incorporators shall deliver to the said directors or to their treasurer appointed by said directors the whole amount of moneys received by them on subscriptions to said stock; and it shall be the duty of said directors to keep the books for subscription open until the entire amount is subscribed, as hereinbefore set forth.

Commencement
of construction

§ 7. The said corporation is authorized, as soon as the board of directors are elected, as aforesaid, to commence the construction of said road, beginning at any point on said line hereinbefore set forth, as they may deem most for the interest of said corporation; and as soon as said McAdamized road is completed to Milton bridge, said corporation may erect a gate or gates thereon, and collect the tolls allowed by this act; and it shall be the duty of said corporation, when said road or any part of said road shall have been completed and gates erected thereon, to keep it in good repair; and whenever, from any cause, the same shall become injured, said corporation shall immediately proceed to repair the same. It shall be lawful for said corporation to construct bridges over any sloughs or streams anywhere upon the route of said road, when they may deem the same necessary. And said corporation is authorized to borrow any sum of money which they may deem necessary, not to

Gates — repairs
—bridges.

Borrow money.

exceed twenty thousand dollars, to aid in the construction of said road.

§ 8. The said corporation is authorized and shall have power to erect and maintain such toll-houses, toll-gates and other buildings, for the accommodation and management of the said road and the transportation thereon, as may be deemed suitable to their interest and the accommodation of the public travel. The county court of Madison county shall, on the first day of the first term thereof after the first day of January, in each year, fix, determine and establish, for the following year, the rates of toll which said company may demand, collect and receive of and from any and every person using said road. It shall be lawful for any toll gatherer to stop and detain any person going on said road until the toll properly chargeable shall have been paid.

Toll houses.

Rates of toll.

§ 9. The president and directors of said corporation shall cause to be kept upon each gate, in some conspicuous place, where the same may be easily read, a printed list of the tolls which may be lawfully demanded.

Printed list of tolls.

§ 10. If any toll gatherer shall unreasonably delay or hinder any traveler or passenger, or shall demand more toll than by this act is allowed, the said company shall forfeit and pay to the person injured the sum of twenty dollars; and if any person shall willfully cut down, break, deface or throw down or injure any gate erected upon said road, or shall willfully tear up, injure or spoil any of said McAdamized road, or any appendages thereto, or anything belonging thereunto, he shall forfeit and pay to the said corporation three times the amount of damage actually done; and no forfeiture shall be less than twenty dollars; and if any person shall forcibly pass either gate, without first having paid the legal tolls, he shall forfeit and pay to said corporation for every such offense the sum of twenty-five dollars; and if any person, to avoid the payment of the legal tolls, shall turn off said road and pass any gate on said road and again enter upon said road, he shall forfeit and pay the said corporation the sum of five dollars; and all penalties and forfeitures incurred under this act may be recovered by action of debt in any court having cognizance thereof; and when the forfeiture does not exceed one hundred dollars the same may be prosecuted before any justice of the peace of the county where the offender or offenders may be found.

Delay of travelers, etc.

Injury of property, etc.

Penalties for.

Non-payment of tolls.

Penalties for.

§ 11. The said corporation shall be allowed two years from the passage of this act to commence the construction of said road. Any city or incorporated town in this state shall have the right to subscribe to the stock of said corporation and to receive transfers of and transfer such stock. And any corporation, being a stockholder, shall be allowed to vote by its appointed agent, duly appointed, the same as any other stockholder.

Time of commencement of road.

Stock subscription.

Possession of
lands, etc.

§ 12. The said corporation is hereby authorized to locate and construct said Macadamized road over any lands owned by this state on the route of said road, and is authorized to acquire, by voluntary cession or purchase, from the owners, the right to construct said road over any lands belonging to individuals, companies or corporations on said route, and to enter upon any lands to obtain material to build said road; and in case the said corporation can not obtain the right to construct said road over the land owned by any individual, company or corporation, or obtain the said materials, by voluntary cession or by purchase, it shall be lawful for said corporation to obtain the right of way and materials for construction of said road under the 92d chapter of the Revised Statutes of A. D. 1845.

Dividends.

§ 13. Said corporation shall have power, after all expenses are paid, to make a dividend or dividends, from time to time, annually or semi-annually, to said stockholders, as the profits of said company may warrant.

§ 14. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 8, 1867.

In force Feb'y
28, 1867.

AN ACT to amend an act entitled "An act to amend an act entitled 'an act to locate and establish certain state roads therein named, through the counties of Perry, Randolph and Jackson,'" approved Feb. 15, 1865.

Section 2 of act
approved Feb.
15, 1865, amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section second of an act, entitled "An act to amend an act entitled 'an act to locate and establish certain state roads therein named, through the counties of Perry, Randolph and Jackson,'" approved February 15, 1865, be so amended as to allow the said commissioners (Hawkins S. Ozburn, Harry Almon and Richard H. Williams) to meet at Pinckneyville, in said Perry county, at any time before the first day of January, A. D. 1869, to perform the duties required of them by said act and amendment.

§ 2. This act to take effect and be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to vacate certain roads therein named.

In force Feb'y
28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the roads known as Sheffield street, between block ten (10) and eleven, (11), and Stella place, between block eleven, (11,) and twelve, (12), all in Ladin, Smith & Dyer's sub-division of the north-east quarter of section twenty, (20), of township forty, (40) north, of range fourteen, (14,) east of third (3) principal meridian, in the county of Cook, and state aforesaid, are hereby vacated and closed.

Vacated roads
described.

§ 2. This act shall be deemed a public act, and shall be in force from and after its passage.

APPROVED February 28, 1867.

AN ACT to incorporate the Cumberland Graded Road Company.

In force March
5, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Joseph Cooper, Joseph Piquet, William H. Edson, Joseph Howe, and Alexander Byers, are hereby made and constituted a body politic and corporate, by the name of "The Cumberland Graded Road Company;" and, by that name and style, shall have perpetual succession; may make by-laws and contracts; have a common seal; may sue and be sued; and have and enjoy all the rights and privileges and be subject to all the liabilities of a body corporate and politic.

Corporators.

Name.

Powers.

§ 2. The capital stock of said company shall be twenty-five thousand dollars, to be divided into shares of twenty dollars each, to be deemed personal property, and transferable as such on the books of the company, in such manner as the by-laws shall provide. The capital stock of said company may be increased to an amount not exceeding one hundred thousand dollars in the aggregate. Each share of stock shall entitle the holder thereof to one vote in the election of directors or to increase the capital stock.

Capital stock.

§ 3. The affairs of said company shall be managed by a board of directors, not exceeding five in number, who shall hold their office for one year, and be elected at such times as the by-laws shall provide. Said directors shall have authority to provide for the election or appointment of such other officers or agents of said company as they shall deem necessary, and may prescribe their powers and duties.

Directors.

§ 4. The said company shall be authorized to locate, construct, maintain and operate a gravel or dirt road, from Olney, in Richland county, Illinois, through St. Marie, New

Business.

Liberty and Granville, in the county of Jasper, in the state of Illinois, to some point at or near Casey, on the National road; and, for that purpose may take possession of any common road or public highway and use and occupy the same for the purposes of their said road, and may erect thereon one or more toll-gates, for the collection of tolls for the passage of any and all animals or conveyances over and along said road, and may charge such rates of tolls therefor as shall be fixed by the directors: *Provided*, no toll-gate shall be erected or tolls charged until at least five miles of continuous road has been constructed for each toll-gate.

Possession of
bridges.

Proviso.

§ 5. The said company shall be authorized to take possession of and occupy any public bridge on the route of said road: *Provided*, they shall have first paid to the proper authority the value of such bridge or bridges, to be ascertained by two persons, one to be appointed by the said company and one by the probate judge in the county where such bridge is located—and if the two persons shall not be able to agree on such price they may call in a third person, who shall determine the same.

Corporation
subscription.

Proviso.

§ 6. Any town through which said road shall be located shall be authorized to subscribe for stock in said company in such amount as shall be determined by the town electors; and the proper officers of such town shall be entitled to represent such stock in the election of directors or in increasing the capital stock: *Provided*, no town shall subscribe for stock to an amount exceeding six per cent. of the cost of the said road in such town, to be ascertained in the same manner as is provided for ascertaining the value of bridges, as provided in this act. Said road shall not be less than four rods in width, nor more than six rods in width. In case said company shall require private lands for the purpose of locating any portion of said road, which they are unable to acquire by purchase, gift or otherwise, they may procure the same by condemnation, under the provisions of any law of this state authorizing the condemnation of private lands for public purposes.

Condemnation
of lands.

§ 7. This act shall be a public act, and take effect from and after its passage.

APPROVED March 5, 1867.

In force March 4, 1867. AN ACT to change and re-locate a part of a state road therein named in Perry county.

Commissioners
to change and
re-locate.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That E. T. Reese, H. S. Ozburn and Alex. Wadkins, of the county of*

Perry, state of Illinois, be and they are hereby appointed commissioners to change and re-locate so much of the road leading from Du Quoin, in said county, to Denmark, in said county, as is not now located and established on the half section line running east and west through section number fourteen, in township six (6) south, of range three west of the third principal meridian, in said county.

§ 2. That said commissioners shall re-locate said road on or as near the said half section line as may be practicable, and report their action to the county court of said county, having first taken an oath faithfully to discharge their duties as such commissioners.

Duties of
commissioners

§ 3. That said commissioners shall have power to employ the county surveyor, and necessary chain carriers, ax-men, etc., and that they shall receive compensation for their services, as follows: Commissioners, two dollars per day, each, surveyor, four dollars; other hands, necessarily employed, one dollar and fifty cents per day, each, to be paid by order of the county court of said county out of the county treasury.

Employ
surveyors.

Compensation.

§ 4. This act to take effect and be in force from and after its passage.

APPROVED March 4, 1867.

AN ACT to relocate a part of the state road leading from Warsaw to Carthage, in Hancock county.

In force March
7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John R. Miller, David Mack and Ezra Wendle, of the county of Hancock, be and are hereby appointed commissioners to relocate that part of the state road from the city of Warsaw, in Hancock county, to the town of Carthage, in said county, which passes over and upon sections twenty-nine, (29,) and thirty, (30), in township five, (5) north, in range seven (7) west, in said Hancock county.

Commissioners

§ 2. Said commissioners, or a majority of them, shall meet at said town of Carthage within six months from the passage of this act, on such day as may be agreed upon by them, and, after being duly sworn by some justice of the peace of said county faithfully to perform the duties imposed by this act, shall proceed to make, lay out and relocate said part of said road, as provided in the preceding section, on the most eligible ground, avoiding as much as possible damage to private property.

Meeting of.

Sworn.

Duties of.

§ 3. Said commissioners, after said relocation, of said part of said road shall file in the office of the county clerk

Reports and
plans.

of said Hancock county a report and plat of the part thereof so relocated, duly certified by them.

Employ a surveyor.

Certified statement of time and number of hands.

Style of road.

Width.

Road vacated.

§ 4. The said commissioners shall have power to employ a surveyor, and such other persons as may be necessary in the survey and relocation of said part of said road; and they shall make out and present to the board of supervisors of said county a certified statement of the time and number of hands employed; and, thereupon, it shall be the duty of said board of supervisors to make and allow to each commissioner, surveyor and person so employed a reasonable compensation for their services.

§ 5. Said part of said road, when so relocated and laid out shall be and the same is hereby declared a state road, and shall be opened four rods wide, and kept in repair as other state roads; and so much of said road now existing as shall be changed or affected by said relocation shall, after said relocation, be and is hereby forever vacated.

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

APPROVED March 7, 1867.

In force March 7, 1867.

AN ACT to locate a state road on the county line between the counties of Clinton and St. Clair, connecting the St. Louis and Vincennes and Belleville and Hanover roads.

Commissioners

Line of road.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Joseph Hypes, Adolphus Berger and Martin Wiley, be and they are hereby appointed commissioners to locate and establish a state road, commencing at a point in the north east corner of section number twenty-four, (24), in township number two north, of range six west of the third principal meridian, in St. Clair county, where the St. Louis and Vincennes state road crosses the west boundary of said county of St. Clair; thence running due south on the county line until the same intersects the Belleville and Hanover road. And if said commissioners deem it advisable and the public good requires it, they may extend and locate said road northward, from said point of commencement, until the lands intersects the southern boundary of Madison county, having due regard to private property.

Oath of commissioners

§ 2. That said commissioners shall meet on or before the first day of April next after the passage of this bill, or as soon thereafter as possible, and take an oath, before some person authorized to administer oaths, well and truly to perform the duties required of them by this act.

§ 3. When said commissioners shall have viewed the said ground, and shall have located said road, it shall be their duty to make out a plat of the road, and lay said plat before the county courts of the counties in which said road may be located, as soon as practicable after the completion of the same. And the road so located is hereby declared a state road. Plat of road.

§ 4. That said plat shall be evidence, hereafter, in all courts of record in this state; and it shall be the duty of the county courts, when said road is in part or whole located, to record said plat in the records of their office. Duty of county court.

§ 5. This act shall take effect from and after its passage.

APPROVED March 7, 1867.

AN ACT to incorporate the Highland Park Building Company.

In force Feb'y
23, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Luther L. Greenleaf, George S. Foster, Philip B. Shumway, John Clough, Merrill Ladd, Edwin Haskins, Jesse O. Norton, Henry Booth, Harvey B. Hurd, Cornelius R. Field, Charles W. Boynton, James Farr, William W. Everts, and their associates, assigns and successors, are hereby created a body corporate and politic, by the name and style of "The Highland Park Building Company," for the purpose of laying out a town at Highland Park, and buying, improving and selling land and lots in said town, in Lake county and in the county of Cook, and by that name shall have perpetual succession, and be capable, in law and equity, of suing and being sued, pleading and being impleaded, to contract and be contracted with; to adopt and use a common seal, and to alter the same at pleasure; to take, by purchase or otherwise, and hold, improve and sell real estate and personal property. Corporators.

Name and style.

Powers.

§ 2. The capital stock of said company shall be one hundred thousand dollars, which shall be divided into shares of one hundred dollars each. The capital stock may be increased to five hundred thousand dollars, by a vote of two-thirds of the stock, at any regular or called meeting of stockholders. Capital stock.

§ 3. The said corporators may manage the affairs of said company until a board of directors is elected as hereinafter provided, and, until such election, shall be the directors of said company. Management of affairs.

§ 4. When fifty thousand dollars of the capital stock is subscribed, the subscribers may proceed to elect a board of not less than three nor more than ten directors, who shall Organization.

have the power to elect their own president and other officers, and who shall hold their office for one year and until their successors shall be elected. The directors shall have power to fill vacancies in their board.

By-laws.

§ 5. Said corporation shall have power to make by-laws, not inconsistent with the constitution and laws of this state and the United States, fixing the time and manner of holding meetings of stockholders and elections, defining the duties of its officers and servants, defining the manner of making calls upon the capital stock and the penalties for non-payment of the same, and generally for the management of its affairs.

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

APPROVED February 23, 1867.

In force March
9, 1867.

AN ACT to change the name of Rachel Paul.

Name changed.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name of Rachel Paul be changed to that of Mary Virginia Munson, and that she be a legal heir as daughter of Franklin Munson and Olive Munson, his wife.

§ 2. This act shall be in force from and after its passage.
APPROVED March 9, 1867.

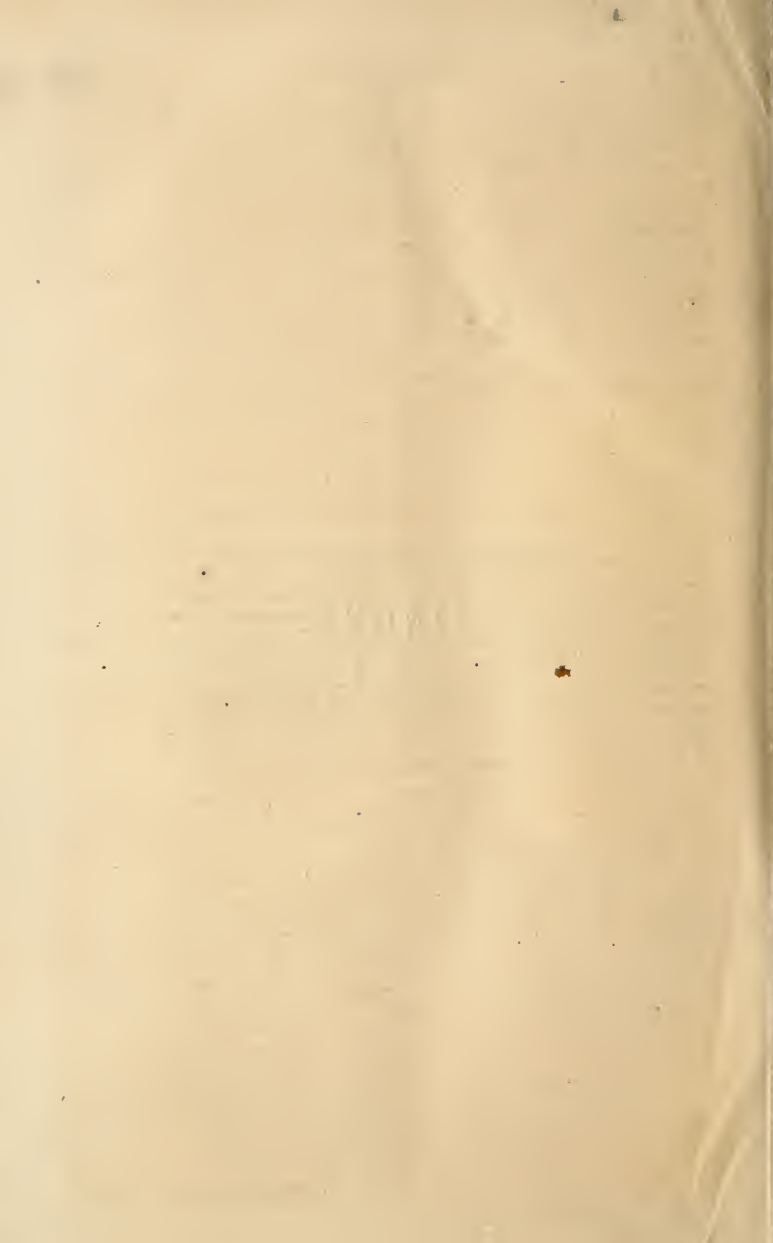
DEPARTMENT OF STATE, SPRINGFIELD, ILLINOIS,
August 15, 1867.

I, Sharon Tyndale, secretary of state of the state of Illinois, do hereby certify that the foregoing printed laws are true and perfect copies of the enrolled laws on file in this office, with the exception of the words printed in brackets thus, [].

In testimony whereof I hereunto set my hand, the day and year aforesaid.

SHARON TYNDALE,
Secretary of State.

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